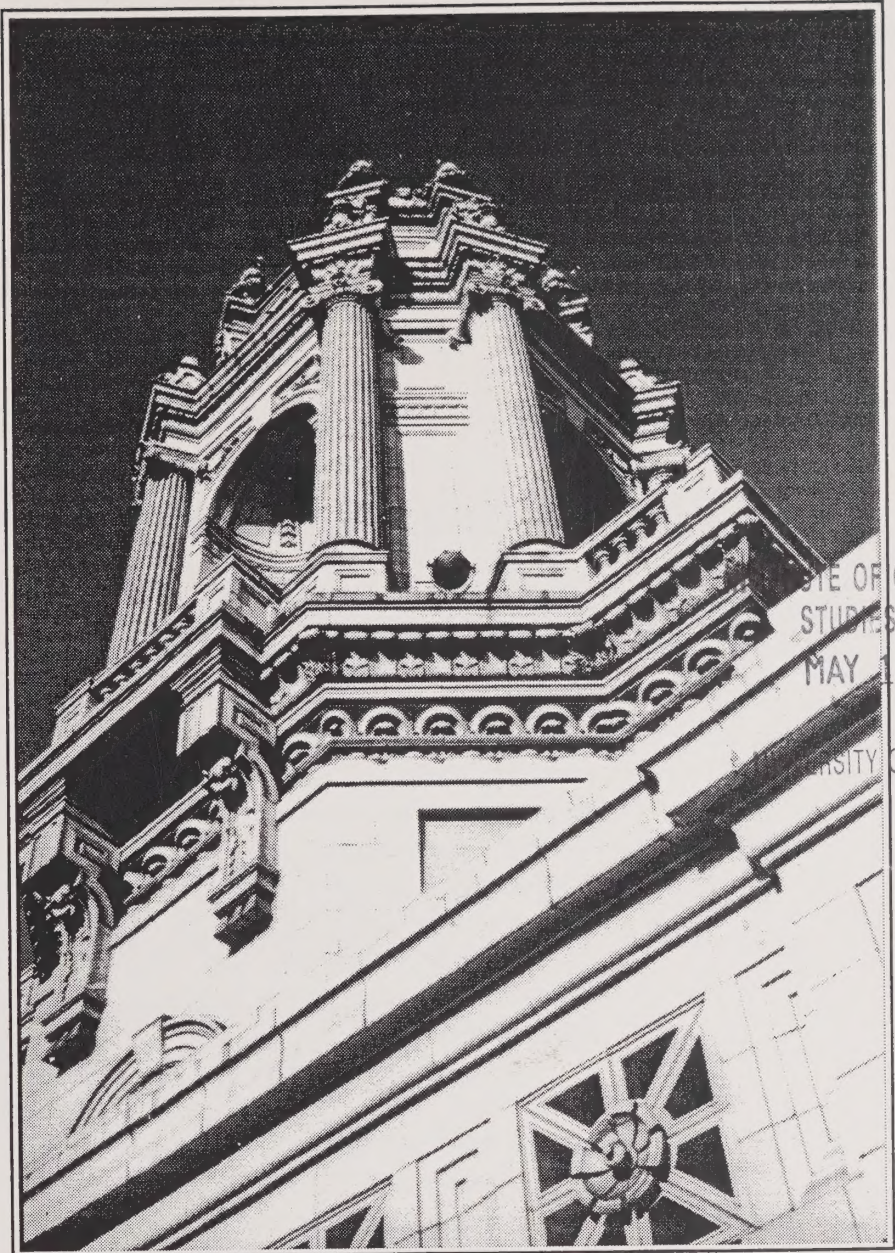
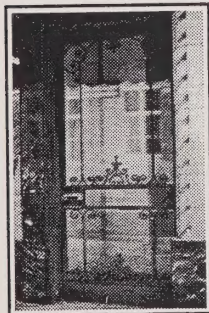
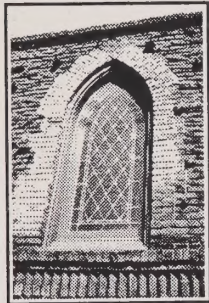
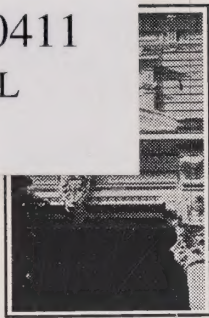
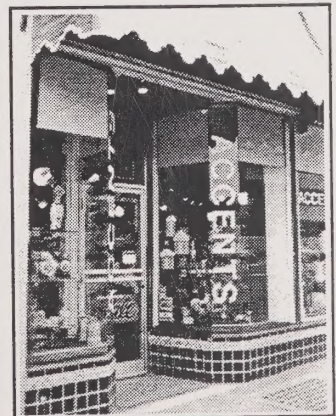
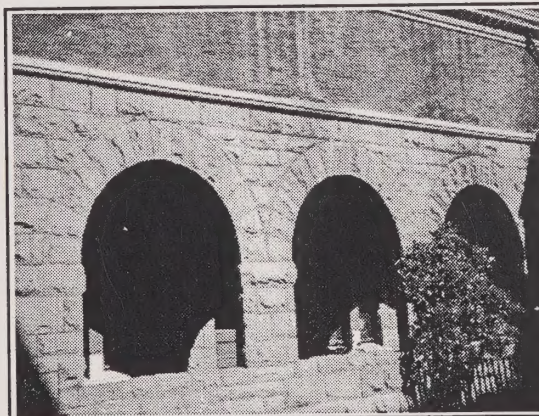


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CITY OF OAKLAND HISTORIC PRESERVATION

AN ELEMENT OF THE OAKLAND GENERAL PLAN

ADOPTION AND AMENDMENT HISTORY

The Historic Preservation Element of the Oakland General Plan was adopted March 8, 1994 (Oakland City Council Resolution No. 70807 C.M.S.).

The following sections of the Element were amended July 21, 1998 (Oakland City Council Resolution No. 74403 C. M. S.): Policy 3.2 (city-owned properties), Policy 3.3 (city-assisted properties), Policy 3.5 (discretionary permit approvals), Policy 3.8 (definition of "Local Register of Historical Resources" and "Significant Effect" for environmental review purposes), Action 3.8.1 (environmental review regulations), and Appendix A: Definitions ("Character Defining Element", "Historical and Architectural Inventory", and "Local Register of Historical Resources").

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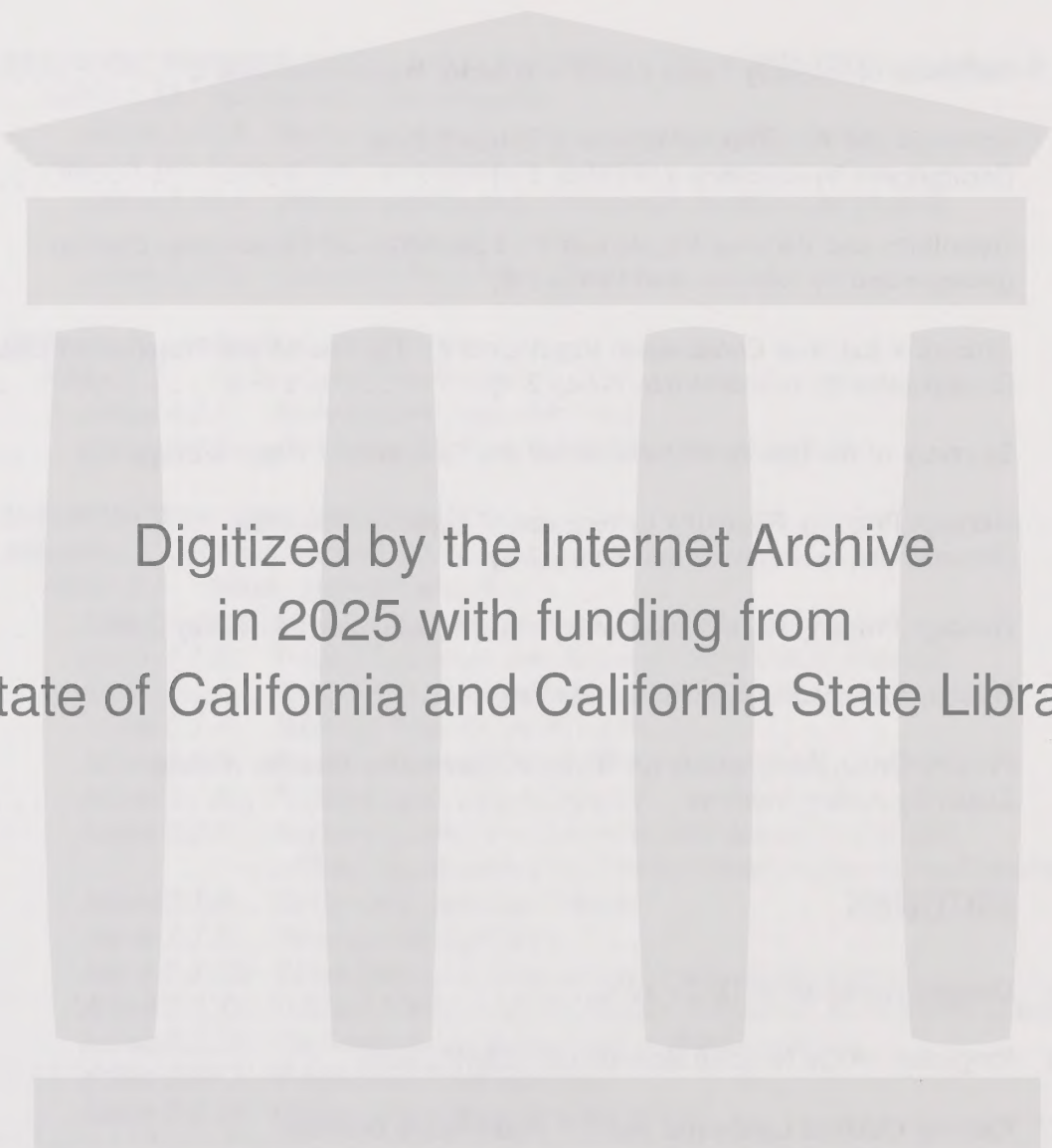
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SUMMARY

Oakland has a broad array of significant older properties, reflective of a rich multicultural history, which set it apart from most California cities. The preservation and enhancement of these properties could significantly contribute to Oakland's economy, affordable housing stock, overall image, and quality of life.

Oakland's existing landmark and other historic preservation programs have been inadequate to attain these benefits. Large numbers of historic properties continue to deteriorate, experience adverse alterations or be destroyed. Further, many of the City's existing historic preservation regulations create unnecessary burdens and uncertainties for property owners and developers.

EXISTING PROGRAM DEFICIENCIES

Current deficiencies in Oakland's historic preservation programs include:

- Lack of a formally-adopted method for identifying which older properties are worthy of at least some preservation effort and for determining the specific types of efforts to be applied to particular properties and situations.
- Weak demolition controls for landmarks and preservation districts.
- Inadequate definition of the property owner's role in landmark and other historic property designations.
- Unnecessary delays, burdens and uncertainties in landmark and preservation district permit requirements.
- Inadequate economic or other incentives to encourage property owners to accept preservation regulations or initiate preservation activities.

- No policies or other methods for balancing historic preservation with other potentially conflicting concerns, such as property owner interests, blight abatement, economic factors and facilitating housing, economic development, and other projects important to the City.
- Inadequate procedures to protect and enhance significant older properties as part of ongoing City activities, including City-sponsored or assisted projects, programs, and regulatory activities.
- Need for more effective code enforcement and other methods to stabilize, adequately secure, and rehabilitate significant older properties which are severely deteriorated, vacant, or abandoned.
- No Citywide database of potentially significant archeological sites and inadequate procedures for protecting significant sites.
- Lack of broad community awareness and appreciation of Oakland's history and architecture and of the value of preserving significant older properties.
- Insufficient knowledge by many property owners and developers of cost-effective maintenance, rehabilitation, and development financing for older buildings.
- Inadequate availability and dissemination of historic preservation information among City departments and the public.

To remedy these deficiencies, the Historic Preservation Element provides improved preservation incentives and regulations; augmented historic preservation provisions within ongoing City programs; and new or modified informational and educational programs.

PROPOSALS

The Historic Preservation Element presents a broad, multifaceted "Historic Preservation Strategy" which the City believes integral to Oakland's continued maintenance and revitalization. The strategy seeks to promote preservation of a wide range of significant older properties and districts in a manner that is reasonably balanced with other concerns and consistent with other City goals and objectives. These properties include most Victorians and other pre-1906 structures as well as post-1906 properties of historical or architectural significance.

The strategy's provisions are expressed as the Element's goals, objectives, policies and actions and include the following:

"Potential Designated Historic Properties": Properties Which May Warrant Preservation (Chapter 3)

- The City's existing Preliminary Citywide Historical and Architectural Inventory ("Reconnaissance Survey") and Cultural Heritage Survey ("Intensive Survey") and their A-B-C-D-E rating system are used to identify which properties may warrant preservation.
- Methods are identified for improving the accessibility of Survey information.
- Properties with existing or contingency Survey ratings of "C" or higher or which contribute or potentially contribute to possible Preservation Districts are deemed to potentially warrant preservation. Such properties are called "Potential Designated Historic Properties".
- Preservation incentives and regulations are not applied to Potential Designated Historic Properties unless they become "Designated Historic Properties" (see below).

"Designated Historic Properties": Properties Which Definitively Warrant Preservation (Chapters 3 and 4)

- Potential Designated Historic Properties will be considered for **Landmark**, **Preservation District** or **Heritage Property** designation. Properties so designated are called "**Designated Historic Properties**" and are deemed to definitively warrant preservation.
- A property is eligible as a **Landmark** only if it has received an "A" or "B" rating from the Landmarks Board's existing "Guidelines for Determination of Landmark Eligibility". Landmark designation is by the City Council.
- Areas of Primary Importance (APIs) and Areas of Secondary Importance (ASIs) identified by the Intensive Survey, are eligible for **Preservation District** designation, along with other areas identified according to new "Guidelines for Determination of Preservation District Eligibility". Preservation District designation is by the City Council.
- Properties receiving an existing or contingency rating of "A", "B", or "C" from the Intensive Survey or "A" or "B" from the Reconnaissance Survey or which contribute or potentially contribute to any area meeting the Preservation District eligibility guidelines are eligible as **Heritage Properties**. Heritage Properties replace the existing preservation study list, and can be designated by either the Landmarks Board or City Planning Commission and provisionally by the Planning Director.

- Landmarks and Preservation Districts are classified according to their importance. Three classes of Landmarks and two classes of Preservation Districts are provided:

Class 1 Landmarks: Properties rated "A" under the Guidelines for Determination of Landmark Eligibility and which are on or as determined by the Intensive Survey methodology, appear eligible for the National Register of Historic Places.

Class 2 Landmarks: Properties which are either:

- (i) rated "A" under the Guidelines and which are not on and do not appear eligible for the National Register; or
- (ii) rated "B" under the Guidelines and which are on or appear eligible for the National Register.

Class 3 Landmarks: Properties rated "B" under the Guidelines, and which are not on and do not appear eligible for the National Register.

Class 1 Preservation Districts: Areas identified as APIs by the Intensive survey.

Class 2 Preservation Districts: Areas identified as ASIs by the Intensive Survey.

- Property owners and other interested parties are given ample opportunity to respond to Designated Historic Property nominations.

If an owner objects to a Landmark designation, the designation may be approved only if the City Council determines that the objection is "without substantial merit" or that the property is of "exceptional significance." Owner objections to Preservation District designations are handled on a case by case basis.

Preservation Incentives and Regulations (Chapter 4)

- A combination of preservation incentives and preservation regulations are applied to Designated Historic Properties.

The incentives are used to enhance the economic feasibility of preserving Historic Properties, encourage owner initiation of preservation activities, and promote owner acceptance of preservation regulations.

- The incentives and regulations are applied according to the importance of each specific property.

The greatest number of incentives and the strongest regulations are reserved for the most important properties.

- Permit procedures for Landmarks and Preservation Districts are streamlined to avoid unnecessary procedures and review periods.
- The following incentives are offered to Landmarks and properties contributing or potentially contributing to Preservation Districts:

- (i) Mills Act contracts for reducing property taxes;
- (ii) State Historical Building Code and other alternative codes for older buildings, to provide more flexible construction standards;
- (iii) conservation easements to reduce property taxes and, for National Register properties, to obtain income tax deductions;
- (iv) broader range of permitted or conditionally permitted uses;
- (v) transferable development rights;
- (vi) priority for economic development and community development project assistance and eligibility for possible historic preservation grants for low-income housing;

(vii) eligibility for acquisition, rehabilitation, and other development assistance from a possible Historic Preservation Revolving Fund or possible Marks Historical Rehabilitation Bond program; and

(viii) possible waivers or reductions of City building and zoning permit fees.

Heritage Properties will be eligible for incentives (ii), (vi) and (vii) only.

- The following **regulations** are applied to Designated Historic Properties:

Class 1 and Class 2 Landmarks: Demolition, removal, New Construction, and Major or Minor Alterations are permitted only if certain findings are made.

Class 3 Landmarks: Demolition or removal can be postponed up to 120 days with a possible 120-day extension unless certain findings are made.

New Construction and Major Alterations are permitted only if certain findings are made. Minor Alterations are normally permitted in all cases.

Properties in Class 1 or Class 2 Preservation Districts: Demolition, removal, New Construction, and Major or Minor Alterations are permitted only if certain findings are made, except for demolition or removal of noncontributing properties in Class 2 Districts, which are normally permitted in all cases.

Heritage Properties: Demolition, removal and "Specified Major Alterations" can be postponed for up to 60 days with a possible 60-day extension.

Clearer Permit Approval Findings for Landmarks and Preservation Districts (Chapter 4)

- Four possible demolition, removal, alteration, or New Construction permit approval findings are provided in a manner that balances the value of preserving a Landmark or Preservation District with other potentially conflicting concerns. A project will be approved if any one of these four findings can be made.

The findings address economic, public safety, design quality and public benefit considerations and are allocated according to the property's importance. For example, only two of the findings apply to demolition or removal of Class 1 Landmarks, while all four findings apply to Class 2 and Class 3 Landmarks. This provides a higher level of protection to more important properties.

- For alterations and New Construction, the Secretary of the Interior's Standards for the Treatment of Historic Properties are the primary basis for determining whether there will be adverse effects on Landmarks or Preservation Districts.

Integrating Historic Preservation into Ongoing City Activities (Chapter 5)

A system of administrative procedures and criteria will be established to routinely promote preservation of existing and Potential Designated Historic Properties as part of City-sponsored or assisted projects, programs, and regulatory activities. This will provide opportunities for enhancing these properties and help insure that City actions do not unnecessarily affect them adversely.

Specific measures to be taken or considered include:

- Designated Historic Property status for eligible City-owned properties.
- Designated Historic Property status for eligible City-assisted properties in some cases.
- City acquisition of certain properties, including possible use of eminent domain.

- Requiring that additions or alterations to certain properties involving discretionary permits match or are compatible with the existing or historical design.
 - Incorporating historic preservation into City-sponsored or assisted projects.
 - Building relocation rather than demolition as part of discretionary project approvals.
 - Building relocation assistance program and improved building relocation permit procedures.
 - Clarifying historic preservation provisions in the City's Environmental Review Regulations.
 - Making zoning more consistent with existing or eligible Preservation Districts.
 - Minimizing or avoiding adverse historic preservation impacts due to earthquakes, fires or other emergencies and as part of seismic retrofit and other building safety programs.
 - Rehabilitation rather than demolition of seriously deteriorated, vacant or abandoned properties as much as possible.
 - Improved security of vacant or abandoned properties.
 - Integrating historic preservation into commercial revitalization programs; possible California Main Street projects.
- Specific measures to be taken or considered include:
- Historic property markers or plaques.
 - Presenting Landmark certificates at City Council meetings and developing certificates for Preservation Districts and Heritage Properties.
 - Improved dissemination of the Historical and Architectural Inventory.
 - Walking tours and guidebooks.
 - Improved historic preservation information availability within City departments and among the general public.
 - Historic Preservation design assistance and referral programs.
 - Preservation trade fairs.
 - Rehabilitation training and apprenticeship programs.
 - Oakland history, geography, and architecture curriculum in the public schools.
 - City records management and archives program.
 - Rehabilitation publications.
 - Design and construction bookstore.

Archeological Resources (Chapter 5)

A Citywide archeological sensitivity study will be conducted and criteria and procedures established for protecting significant archeological resources as part of discretionary City approvals.

Information and Education (Chapter 6)

Information and education programs will be initiated or encouraged to enhance appreciation of older properties and increase the level of technical knowledge for cost-effective preservation.

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Chapter 1: INTRODUCTION

Historic preservation is the sensitive maintenance, continued use and, where necessary, restoration of older buildings, districts and other properties having historic, architectural, aesthetic, or other special interest or value.

Oakland has an unusually rich array of significant older properties which set it apart from most California cities. The preservation and enhancement of these properties could significantly contribute to Oakland's economy, affordable housing stock, overall image, and quality of life.

Oakland's existing landmark and other historic preservation programs have been inadequate to attain the full range of historic preservation's benefits. Large numbers of historic properties continue to deteriorate, sustain adverse alterations or be destroyed. Further, many of the City's existing historic preservation regulations create unnecessary burdens and uncertainties for property owners and developers.

To address these deficiencies, the Historic Preservation Element provides a broad, multifaceted "Historic Preservation Strategy" that addresses a wide variety of properties and is intended to help revitalize Oakland's districts and neighborhoods and secure other preservation benefits.

HISTORIC PRESERVATION ELEMENT FUNCTION AND STRUCTURE

Relation to the Oakland General Plan

The Historic Preservation Element is a component of the Oakland General Plan (formerly the Oakland Comprehensive Plan). The General Plan is the City's primary policy document for land use and related subjects and the basis for all of the City's regulations and programs concerning the physical environment. Within the context of the General Plan, the Historic

Preservation Element sets forth goals, objectives, policies and actions that encourage preservation and enhancement of Oakland's older buildings, districts and other physical environmental features having special historic, cultural, educational, architectural or aesthetic interest or value.

Element Organization

The Historic Preservation Element has six chapters. This chapter serves as an introduction to the Element and presents an overview of Oakland's history and development. Chapter 2 states Oakland's historic preservation goals. These are followed by discussion of the benefits of historic preservation; a brief review of the most significant existing historic preservation and related programs applicable to Oakland; identification of existing program deficiencies; and finally the Element's "Historic Preservation Strategy", which consists of five specific objectives to achieve the goals.

The policies and actions in Chapters 3-6 express the Historic Preservation Strategy in detail and relate to each of its objectives. Chapter 3 establishes mechanisms to identify properties which warrant, or may warrant preservation. Chapter 4 sets forth a system of preservation incentives and protective regulations for specially designated historic properties. Chapter 5 incorporates historic preservation into the full range of City programs and activities. Chapter 6 identifies ways to improve public and City staff awareness and appreciation of significant older properties and increase the level of technical knowledge to facilitate their preservation. Chapter 7 consolidates all of the Element's 66 actions into an "Action Program" to facilitate their implementation.

The objectives, policies, and actions follow a consistent numbering system for ease of reference. The objectives are numbered 1 through 5. Policies have

two-part numbers, where the first part refers to the related objective, and the second part is the policy number under that objective. (e.g. Policy 2.3 is the third policy under Objective 2). Similarly, actions have three-part numbers, the first and second part being the related objective and policy numbers, and the third part being the action number (e.g. Action 2.3.1 is the first action under Policy 2.3).

Certain terms having special meanings in the Element are listed in a "Definitions" section (Appendix A). These terms are capitalized throughout the Element where they are intended to have these meanings.

Element Implementation and Future Admendment

Full implementation of the Element cannot occur until completion of the Action Program. This will probably require a number of years. During this period, existing City practices which may be inconsistent with the Element may continue, pending the Action Program's completion. It is also possible that during the implementation period some of the conditions influencing the Element's proposals may change. Amendment of the Element may therefore be necessary before it is fully implemented. Some of these amendments may occur due to preparation or amendment of other General Plan components, especially the Land Use and Housing Elements, which address subjects closely related to historic preservation.

Technical Report

The Element has a Technical Report which follows the same format as the Element, but in greater detail. The Technical Report has not been adopted by the City Council and thus is not officially part of the General Plan. Its intent is to provide background data and analysis which support the policies and programs in the Element. If any conflicts should exist between the Element and the Technical Report, the Element prevails.

Chapter 4 of the Technical Report is a comprehensive description of existing programs and activities related to historic preservation. It is frequently cited in the Element as a source for further information on subjects which are mentioned only briefly in the Element itself.

OVERVIEW OF OAKLAND'S HISTORY AND DEVELOPMENT

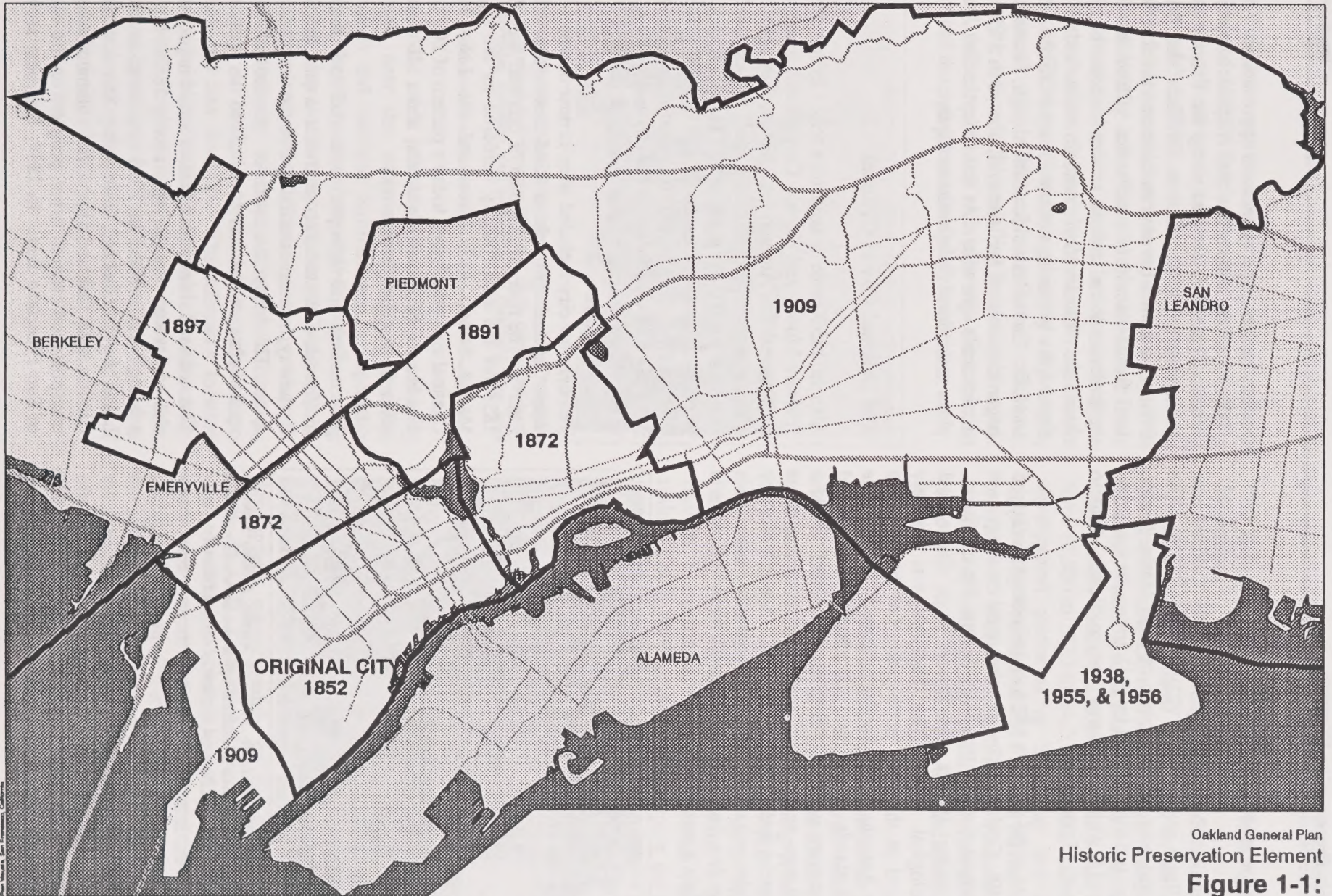
To fully appreciate the need for a strong historic preservation program, it is necessary to have a basic understanding of what is to be preserved. The multicultural diversity that Oakland enjoys today reflects a rich, multicultural history of human habitation extending back thousands of years into prehistoric time, and about 150 years in recorded history. The following sketch of Oakland's history and development will help to put the proposals of the Historic Preservation Element in context.

Basic Development Pattern

Oakland originated as a series of separate communities which through annexation and urbanization blended together to form the City we know today. Vestiges of most of these communities and their associated building types and architectural styles are still evident. Oakland's history is also intertwined with the history of the major ethnic groups that make up the City's present population. Figure 1-1 shows the boundaries of the original city and subsequent annexations.

The Native American Period

The East Bay's earliest known inhabitants were aboriginals usually called Ohlones, and sometimes Costanoans. Huge shellmounds left by these peoples were once near the mouth of Temescal Creek in Emeryville and on the shores of Brooklyn Basin in what is now the Oakland Estuary. The Spanish word "temescal" refers to sweat houses the Ohlones erected along Temescal Creek and other creeks. The Ohlones inhabited the area which is now Oakland for at least 3,500 years. At the time of Spanish settlement of the area, there were probably four or five Ohlone villages, all traces of which have long since disappeared, but which may exist as archeological sites. Three of these villages are believed to have been located in the vicinity of 51st Street and Telegraph Avenue, Trestle Glen, and Holy Names College. Today's Native American population of Oakland (about 1,800) though small as a percentage, is probably larger than the local Ohlone population ever was.



Oakland General Plan
Historic Preservation Element

Figure 1-1:
Oakland Annexations 1852 - 1956

February, 1993

Oakland Office of Planning & Building



1 Mile

The Spanish-Mexican Period

The earliest European explorers of the Oakland area were Fages and Crespi (1772) and Anza (1776). The land was part of the rancho of Luis Maria Peralta, granted in 1820, divided in 1842 among his four sons. Oakland is within the shares given to Vicente, Antonio Maria and Ignacio.

The site of the rancho's 1821 adobe hacienda (enlarged in 1840), Oakland's first nonaboriginal dwelling, is at the intersection of 34th Avenue and Paxton Street, overlooking Peralta Creek and is a City-owned archeological site. The hacienda was severely damaged in the 1868 earthquake, but the Italianate house Antonio Maria Peralta built in 1870 to replace it still stands at the site. A small settlement and embarcadero was established along the east side of a slough now occupied by lower 14th Avenue to serve the rancho and import provisions. A plaza used for bullfights and other entertainment was located at what is now San Antonio Park, named for Antonio Maria Peralta's Rancho San Antonio.



Antonio Maria Peralta House, 2465 34th Avenue. Italianate Victorian, 1870. Last surviving home of Oakland's first non-native settler. Oakland Landmark No. 11. On National Register of Historic Places.

The Beginnings of Urbanization

The Gold Rush in 1849 and California statehood in 1850 brought miners, lumbermen and businessmen as

well as bankers, speculators and opportunists. Among Oakland's first non-native, non-Hispanic settlers was Moses Chase who camped along the Estuary during the winter of 1850. Robert, William and Edward Patten found him the next summer and the four leased land from Antonio Maria Peralta. Their lumbering operation centered around a wharf across the slough from the Rancho San Antonio embarcadero and formed the beginnings of the town of Clinton, platted in 1852. On the east side of the slough, James LaRue began the town of San Antonio, platted in 1854, with a mercantile operation. At this time, the San Antonio plaza was named Independence Square.

The Original City of Oakland

Also in 1850 came a notorious trio - Edson Adams, Andrew Moon, and Horace Carpentier. West of the Clinton and San Antonio settlements, they squatted on 480 acres of Vicente Peralta's land, and proceeded to sell lots to fellow squatters. The settlement was incorporated in 1852 as the City of Oakland, the name derived from "El Encinal (oak grove) de Temescal" referring to a vast forest of oaks extending from what is now Lake Merritt to San Francisco Bay.

The original city included what is now downtown and West Oakland up to about 22nd Street (the "Charter Line"). The first official map of Oakland was filed in 1853 for the area roughly bordered by the Estuary, Market Street, 14th Street and the Lake Merritt Channel and established today's pattern of 200 by 300 foot blocks, 80 foot wide streets, and a 110 foot wide main street called Broadway.

The earliest townspeople numbered less than one hundred and clustered around what is now the foot of Broadway, which immediately became the commercial spine. This began the march of "downtown" Oakland up Broadway which has continued to the present day.

Clouded land titles and a lack of street improvements slowed development during the early 1850s, but when a bridge was erected in 1856 over what is now the Lake Merritt Channel, connecting San Antonio and Clinton with Oakland, improved communication and transportation ensured urban progress on the east side of San Francisco Bay. In 1854, ferryboat service to

San Francisco was established. Sometime between 1857 and 1859 Oakland's first brick building (according to old-timers) was erected at the northwest corner of 3rd Street and Broadway. This and five other brick commercial structures from the early 1860s still stand along lower Broadway. These and other early structures were similar to those built in California's other "pioneer" communities such as in the Gold Country. They were generally very simple, sometimes with Classical or Gothic ornament, reflecting the period's prevailing architectural styles. Wood frame residential examples still can be found scattered through the areas of early settlement.



St. Germain Building (Oenophile Store), 301 Broadway. Simplified "Pioneer" classical, built between 1857 and 1859. One of Oakland's oldest surviving buildings and believed to be Oakland's first brick building.

Commercial and industrial development naturally centered near the wharves. By 1863, the San Francisco and Oakland Railroad was in operation along Railroad Avenue (now 7th Street), extending from the deep water ferry service at Oakland Point (the portion of West Oakland generally west of Mandela Parkway, formerly Cypress Street) to Broadway. In 1865, the service was extended east to Clinton and San Antonio. The railroad's location stimulated a shift of Oakland's commercial center from below 4th Street to 7th and Broadway. Two commercial buildings from the mid-1860s still survive at the northwest corner of 8th and Broadway as part of the six-block Old Oakland preservation district.

The Railroad Boom and Early African American Migration

The selection of Oakland as the land terminus of the first transcontinental railroad, (Central Pacific, later Southern Pacific) completed in 1869, stimulated a development boom, the population more than tripling from 10,500 in 1870 to 34,555 in 1880. Commercial development continued up Broadway and also up neighboring Washington and Franklin Streets with the erection of elaborate multi-story Victorian brick commercial buildings or "blocks". A concentration of these still stand in the Old Oakland preservation district.

The Central Pacific's decision to locate major service yards at Oakland Point brought large numbers of railroad workers there, and rapid construction of tracts of Italianate Victorian houses beginning about 1875. Many of these houses still survive at "The Point" and are Oakland's largest and most solid surviving concentration of Victorians. The railroad employees included a significant number of African American residents who worked mostly as sleeping car porters (considered an elite occupation within the era's black community) or laborers. Another notable group of residents were San Francisco commuters, attracted by the relatively spacious surroundings and the convenience of the ferry.

The City Expands

In 1872 Oakland annexed the area from about 22nd Street to 36th Street (the "Corporation Line") and the settlements of Clinton, San Antonio and Lynn east of Lake Merritt, which had incorporated in 1870 as the City of Brooklyn. At this time, there was little settlement north and northeast of Lake Merritt. Early development stayed mainly on the flatlands to the west. In 1873, Oakland became the county seat of Alameda County, which it is today. A temporary court house and jail, built in Brooklyn at the northwest corner of East 14th Street and 19th Avenue as part of the annexation agreement, still stand. For years after the annexation Brooklyn, or "East Oakland" as it was often called, continued to retain a somewhat separate identity, including its own quasi-downtown -- a concentration of wood-frame Victorian commercial

buildings around 13th Avenue, East 12th Street and East 14th Street dating from the 1870s to the early 1900s. Portions of this commercial center still exist.

Development of Outlying Areas

Further east, an area called Fruit Vale (sic) developed (including the present Dimond district) around the fruit orchards of the Lewelling and Rhoda families and others. Some of the farmland became estates of wealthy individuals. Large Victorian houses surrounded by spacious, richly landscaped grounds lined East 14th Street and Fruitvale Avenue. Industries and warehouses also located in Fruit Vale, and in Brooklyn, along the waterfront and railroad. A major employer was the California Cotton Mills (1884), near 23rd Avenue below East 12th Street, portions of which still exist. It supported and was supported by a Victorian working class neighborhood whose largest surviving section is the area now called North Kennedy Tract or "Jingletown", below East 11th Street between 23rd and 29th Avenues.

Still further east, railroad stops and stations helped spawn settlements which became Melrose, Fitchburg and Elmhurst. Development of Elmhurst accelerated in the 1890's when a "new town" was laid out following construction of the Oakland, San Leandro and Haywards (sic) Railroad's electric railway and construction of the roundhouse and power plant at East 14th Street and 96th Avenue.

To the north, a telegraph line connecting Oakland to Sacramento was strung in the early 1860s, giving its route the name Telegraph Road and later Telegraph Avenue. The intersection of this road and Temescal Creek was already the center of a small settlement related to Vicente Peralta's nearby hacienda (and possibly the site of an Ohlone village). Construction of a horsecar line in 1873 along Telegraph Road to the University of California's new Berkeley campus (originally founded in Oakland by the Rev. Henry Durant as the College of California in 1860) stimulated further development in the area, by now called Temescal. One of the early buildings, the "Brick House Block", built about 1872 still stands on the east side of Telegraph Avenue in the Temescal business district.

Further north and to the west, the opening of a commuter branch of the Southern Pacific Railroad in 1878 along newly built Stanford Avenue (named after Leland Stanford one of the railroad's "Big Four" owners) stimulated development around the railroad's Golden Gate station at the intersection of Stanford Avenue and San Pablo "Road". Among the developers (or "capitalists" as they were then called) attracted to the area was Charles A. Klinkner who began development of a town he called Klinknerville. Several of Klinkner's distinctive Victorian houses can still be found along 59th Street east of San Pablo Avenue. In 1890, the residents successfully petitioned to change the name of the Klinknerville post office to Golden Gate, which became the popular name of the surrounding area.

Other outlying areas began to build up around such recreational attractions as Shellmound Park (Emeryville), Blair's Gardens (Piedmont), the Tubbs Hotel (East Oakland), and Idora Park (North Oakland).

The Original City Flourishes

Meanwhile, Oakland itself continued to grow, with an impressive Victorian City Hall built at the head of Washington Street (at 14th Street) in 1871 and multi-story commercial buildings extending up Broadway beyond 14th Street by 1880. Washington Street became the main shopping street, with such retail firms as the H.C. Capwell Company (1889), while Broadway had banks and theaters.

Chinatown is Permanently Established

Oakland's Chinatown existed at its present location, centered at 8th and Webster Streets, by the late 1870s. Since the 1850s, Oakland had had Chinatowns at various other locations, but they were repeatedly forced to move due to the anti-Chinese sentiment of the period. Most Oakland Chinese at this time were factory workers, laborers, and shrimp fisherman, but some entrepreneurs were able to establish over 60 laundries in Oakland by the 1880s, as well as stores and restaurants serving primarily Chinese customers. Following the 1906 earthquake and San Francisco fire,

about 2,000 refugees settled in Chinatown tripling the population and greatly increasing the geographic area.

Oakland Moves North

In 1891, Oakland annexed what are now the Adams Point, Rose Garden, Lakeshore, Trestle Glen and Glenview neighborhoods. In 1897, most of what is now North Oakland was annexed, including Temescal and Golden Gate. In 1900 the population was 66,960.

Growth and Expansion After the 1906 Earthquake

The 1906 earthquake and San Francisco fire generated a major population increase and development boom which continued to the 1930s. In 1909, most of the remainder of what is now Oakland was annexed, including the entire hill area and Fruitvale, Melrose, Elmhurst and the rest of the area between Brooklyn and San Leandro. This increased Oakland's area from 22.9 to 60.25 square miles. In 1910 Oakland's population reached 150,174, more than double the 1900 level.

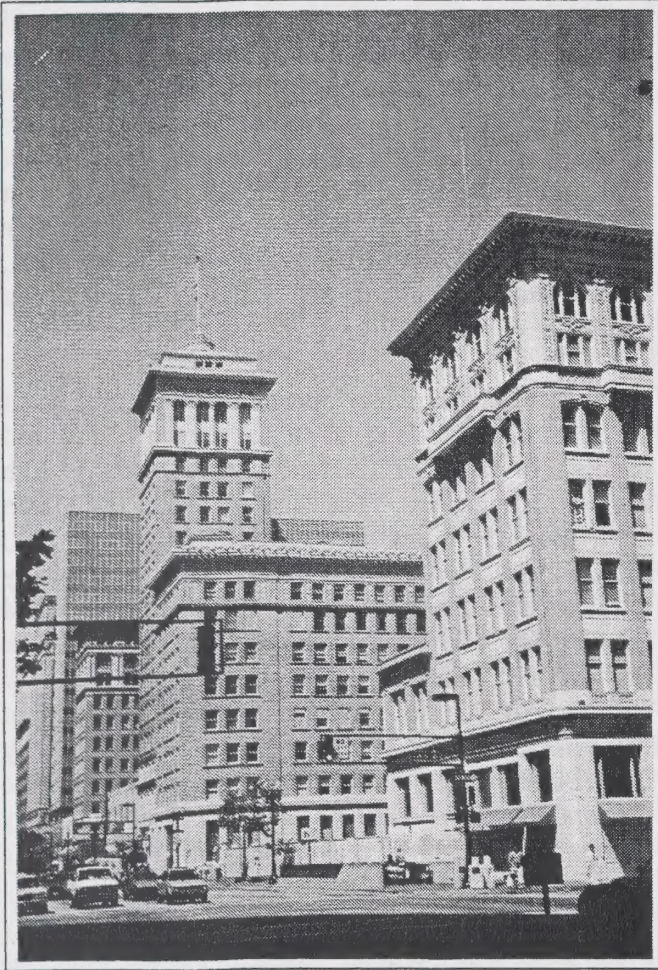
The first several years of the post-earthquake boom resulted in almost total development of North Oakland, the previously unbuilt residential sections of West Oakland and parts of East Oakland, with Colonial Revival and shingled or stuccoed Arts and Crafts houses. Several dozen of the latter were designed by the well-known Oakland-born architect Julia Morgan.

Much of this development was led by such "capitalists" as Francis Marion "Borax" Smith, who by 1903 consolidated most of the independent streetcar and electric train lines into the Key Route, ancestor of today's Alameda-Contra Costa Transit District. Smith formed a huge development company called the Realty Syndicate which bought up vast tracts of land, including what is now Piedmont Pines and other portions of the Oakland Hills, and then extended streetcar lines into these areas to promote development. As part of this strategy, Smith in 1906 began construction of the Claremont Hotel, designed by one of Oakland's leading early 20th century architects, Charles Dickey, as a resort attraction to demonstrate to potential residents the accessibility of

his holdings from San Francisco via ferry, train and streetcar. Smith's headquarters, the Realty Syndicate Building, still stands at 1440 Broadway. Smith lost control of the Realty Syndicate in 1913, but the company continued as Oakland's leading development firm until it failed following the 1929 stock market crash. It was responsible for such distinctive developments in the 1910s and '20s as Idora Park, Havenscourt Boulevard and palatial Spanish-style houses in Piedmont Pines.

The post-earthquake development boom defined much of downtown Oakland as it is known today and resulted in most of Oakland's notable early 20th century skyscrapers. The first of these, the Union Bank Building (now the Unity Building at 1300 Broadway) was erected in 1904-05, but others quickly followed after the 1906 earthquake. These included the First National Bank of Oakland Building (now the Broadway Building) in 1907-8, the first two phases of the Oakland Bank of Savings Building (now part of 1200-1212 Broadway) in 1907 and 1909, the Security Bank Building (now 1100 Broadway) in 1911-12, the Oakland Hotel in 1910-12, and the Federal Realty Building (now Cathedral Building) in 1913-14. The most conspicuous was the existing 343 foot high City Hall (1911-14), the first city hall in the country designed as a skyscraper. Other important buildings were Kahn's Department Store (now the Rotunda) in 1912-13 and a new and enlarged H. C. Capwell Company store at 14th and Clay.

All of these buildings were designed in the Beaux Arts derivative style typical of most large, early 20th century commercial buildings. Oakland was now transformed from a large town to a true city, with the downtown focus at 14th and Broadway.



Early 20th Century Beaux Arts skyscrapers on east side of Broadway above 11th Street. Right to left: Security Bank Building, 1911-12; Oakland Bank of Savings Building, 1909 and 1922-3; and Union Bank Building, 1904-5. Part of Downtown Oakland District, eligible for the National Register of Historic Places.

Influenced by the "City Beautiful Movement", the post-earthquake period was also an era of major civic improvements under the leadership of Mayor Frank Mott (1905-1915). In addition to the new City Hall, these included the Civic Auditorium (now Henry J. Kaiser Convention Center), new fire stations and related facilities, and acquisition and development of Lakeside, Mosswood, DeFremery and Oak Glen Parks and various other park improvements.

Industrial Development in the Early 1900s

Of major significance, Oakland regained control of the waterfront in 1910 after over half a century of litigation resulting from the manipulations of Horace Carpentier. This cleared the way for port development.

During the 1900s, 1910s and 1920s, a strategic geographical position, the extensive rail network and the expanding port made Oakland one of the West Coast's leading industrial and warehousing centers. These activities became especially prominent in East Oakland, which boasted several automobile assembly plants. Oakland was thus called the "Detroit of the West". One of these plants, the Durant Motor Company, still exists, converted to other uses, on East 14th Street at the San Leandro border. The most conspicuous monument to this era is the Mutual Stores tower and warehouse complex on East 14th Street, designed in a Beaux Arts Spanish Renaissance style and one of the Bay Area's leading examples of the City Beautiful Movement's concept of dressing-up utilitarian structures with historicist ornament. Mutual Stores was a pioneering grocery chain, later absorbed by Safeway, whose modest 1929 original building still serves as world headquarters at 4th and Jackson Streets.

Residential Planned Communities

The City Beautiful Movement was expressed residentially by several "planned communities" with architectural design controls, street trees, ornamental pylons framing street entries and sometimes underground utilities. Examples include the Lakeshore Homes area (Trestle Glen and Longridge Roads and neighboring streets), laid out by the Olmsted Brothers; Claremont Pines off Broadway Terrace; and Oak Lawn Manor along portions of Ross and Ivanhoe Streets in Rockridge. These were mostly developed in the 1920s and are dominated by the Tudor, Norman and Mediterranean styles popular at that time.

Working class developments reflecting planned community influence and using miniaturized versions of the same types of houses include Idora Park in North Oakland, and, in Central East Oakland, Picardy

Drive and the "Court of All Nations" on Holly Street and neighboring streets east of 73rd Avenue. These last two were developed by R. C. Hillen who styled himself as a builder of "modest mansions" and are within the vast housing tracts of East Oakland built to accommodate the auto and factory workers.

"Downtown" moves "Uptown"

In the late 1920s, the H. C. Capwell Company merged with Taft and Pennoyer and relocated its department store to 20th and Broadway where it remains today, greatly remodeled, as part of the Emporium chain. This, coupled with the 1927-8 construction of the huge, East Indian style Fox Oakland Theater, marked yet another shift "uptown" of downtown Oakland's focus, and stimulated the development of most of Oakland's Art Deco monuments, including I. Magnin's, the Oakland Floral Depot, Paramount Theater and the former Breuner's Furniture Store. It also initiated a slow deterioration of the 14th and Broadway area, which accelerated after the completion of Kaiser Center next to Lake Merritt in 1958 and the resulting migration of banks and high-rent offices.

World War II to the Present

Like most other parts of the country, Oakland stagnated during the 1930s, but it became a major shipbuilding center in World War II. During this time Oakland's small, but long established African American community, living mostly in West Oakland, increased about five fold with the migration of shipyard workers from the south. The 1945 special census showed Oakland's population at its all-time peak of 405,301.

After World War II, the proliferation of the automobile, freeway construction and resulting suburbanization led to a decline of Oakland and other older central cities. Major portions of Oakland's historic fabric were destroyed by freeway construction and redevelopment, especially in West Oakland and downtown. However, new buildings in modernist styles were developed and some are now becoming old enough to be appreciated for their historic or architectural value. Examples include the 1956-59



Paramount Theater, 2025 Broadway. One of the country's major Art Deco monuments, 1931. Oakland Landmark No. 9, State Historical Landmark, and National Historic Landmark.

First Western Bank Building (now 1330 Broadway) which was the first International Style skyscraper on the west coast, and the 1969 Oakland Museum, a much admired example of the New Brutalist style which resembles a massive piece of landscaped sculpture more than a building.

Many of Oakland's most significant historic buildings were seriously damaged in the Loma Prieta earthquake of October 17, 1989, which has contributed to bringing historic preservation to the forefront of City policy.

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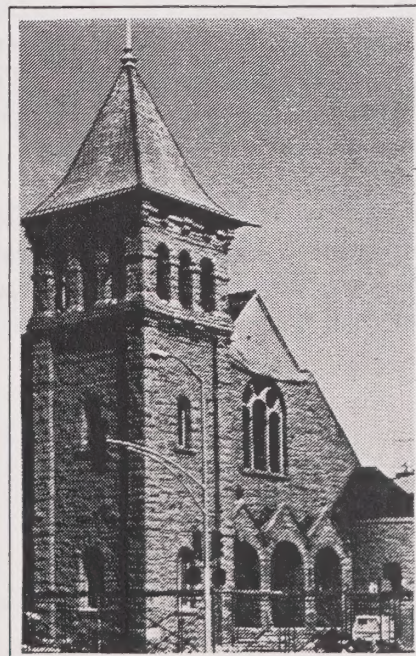
Chapter 2: GOALS AND OBJECTIVES

Oakland needs a broader, better coordinated and more multifaceted historic preservation program. Since World War II, Oakland has lost large numbers of historically or architecturally significant properties, either through demolition or insensitive alteration. These include hundreds of Victorian houses, most of downtown's pre-1900 commercial buildings and several large churches and civic buildings.

The City believes historic preservation is integral to Oakland's continued maintenance and revitalization. About half of Oakland's buildings date from before 1946. Within deteriorating areas, the proportion is much higher and includes Oakland's greatest concentrations of significant older properties. The City believes that historic preservation activities will help stabilize these areas and encourage rehabilitation. Conversely, the City believes that in the absence of a broad historic preservation program, deterioration will continue and many developmental and promotional opportunities presented by significant older properties will continue to be lost.



Buildings lost since World War II (clockwise from upper left): Alexander House, 16th and Filbert Streets; demolished early 1970s by Oakland Redevelopment Agency for Oak Center Project. Sacred Heart Church, 40th Street and Martin Luther King Jr. Way; demolished 1993 due to 1989 earthquake damage. Earle C. Anthony Packard Showroom, 21st Street and Lakeside Drive, Bernard Maybeck, architect; demolished early 1970s for parking lot.



HISTORIC PRESERVATION GOALS

The City's commitment to a broad historic preservation program is expressed in the following goals:

GOAL 1: To use historic preservation to foster the economic vitality and quality of life in Oakland by:

- (1) Stressing the positive community attributes expressed by well-maintained older properties;
- (2) Maintaining and enhancing throughout the City the historic character, distinct charm, and special sense of place provided by older properties;
- (3) Establishing and retaining positive continuity with the past thereby promoting pride, a sense of stability and progress, and positive feelings for the future;
- (4) Stabilizing neighborhoods, enhancing property values, conserving housing stock, increasing public and private economic and financial benefits, and promoting tourist trade and interest through preservation and quality maintenance of significant older properties;
- (5) Preserving and encouraging a city of varied architectural styles and environmental character reflecting the distinct phases of Oakland's cultural, social, ethnic, economic, political, and architectural history; and
- (6) Enriching the quality of human life in its educational, spiritual, social, and cultural dimensions through continued exposure to tangible reminders of the past.

Goal 1 is expressed more specifically by Goal 2:

GOAL 2: To preserve, protect, enhance, perpetuate, use, and prevent the unnecessary destruction or impairment of properties or physical features of special character or special historic, cultural, educational, architectural or aesthetic interest or value.

Such properties or physical features include buildings, building components, structures, objects, districts, sites, natural features related to human presence, and activities taking place on or within such properties or physical features.

These goals are inclusive and ambitious and seek to maximize the City's exposure to historic preservation benefits. The goals mean that any physical environmental feature related to human activity that enhance Oakland's quality of life through historical, aesthetic, or educational value should at least be considered for preservation. Such features could include: an older building with a superior architectural design; a bridge representing a notable engineering achievement; a park which was designed by a noted landscape architect or which has unusual aesthetic value; or even a piece of vacant land which is an archeological site or is associated with a notable event.

The property types or features listed in Goal 2 are defined in Table 2-1, shown on the following pages. Table 2-1's definitions of "building", "structure", "object", "district" and "site" are derived from the National Register of Historic Places.

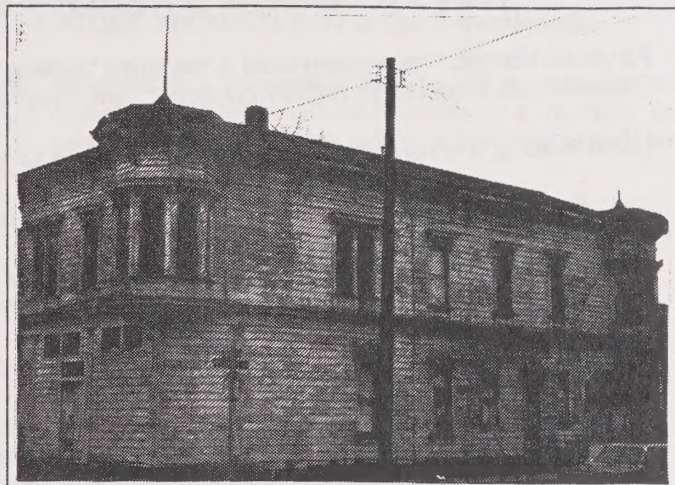
THE BENEFITS OF HISTORIC PRESERVATION

There are many benefits to be derived from a historic preservation program consistent with the goals stated above. Such benefits include:

■ Enhanced quality of life and urban revitalization

Most of the leading instances of large scale urban revival in the United States have involved places of historic or architectural interest. Well known examples include Greenwich Village, Soho, Brooklyn Heights, Park Slope, and parts of the Upper West Side in New York; Beacon Hill and Quincy Market in Boston; Pioneer Square in Seattle; and Larimer Square in Denver. California examples include major portions of Pasadena and Alameda and Jackson Square, Ghirardelli Square, and most of the Victorian neighborhoods in San Francisco. A striking feature of most of these revivals was that they involved minimal public funding.

Urban revitalization's association with historically or architecturally distinguished areas is not coincidental. These areas frequently offer a higher quality of life. People are attracted to older buildings because of their distinctive architecture, solid construction, and other amenities. Even deteriorated or poorly remodeled but potentially attractive buildings can gain the attention of those who are able to look beyond the property's decay or defacement and see its potential.



Liberty Hall (originally Western Market Building) 8th and Chester Streets. A neighborhood eyesore (top) transformed by 1989-1990 rehabilitation (bottom). Local headquarters for Marcus Garvey's Universal Negro Improvement Association and Father Divine's Peace Mission. Oakland Landmark No. 107. On National Register of Historic Places.

TABLE 2-1: DEFINITION OF PROPERTY TYPES LISTED IN HISTORIC PRESERVATION GOAL 2

As used in Historic Preservation Goal 2, the terms "building", "building component", "structure", "object", "district", "site", "natural feature related to human presence", and "activity" have the following specific meanings:

- (1) A **building** is a nonmovable construction created to shelter any form of human activity.

Examples: houses, commercial buildings, warehouses, industrial plants, schools, libraries, churches.

- (2) **Building components** are functionally, historically, or aesthetically distinct parts of an individual building, including interior components of publicly-operated buildings and privately-operated interiors normally accessible to the public.

Examples: Storefronts, individual windows, and other exterior elements which are individually distinctive and aesthetically distinct from the building's overall exterior design, (e.g. a stained glass window on an otherwise undistinguished building), including individual rooms and other interior spaces. Examples of privately-operated interiors normally accessible to the public include: store interiors, office building lobbies, and interiors of churches, temples, theaters, auditoriums, and other similar assembly buildings.

Building Component: Interior of Dahlke's, 7th and Broadway, ca. 1889-90. Well preserved Victorian saloon inside a totally remodeled, undistinguished shell.



- (3) A **structure** is a relatively large or complex movable or nonmovable functional construction made primarily for purposes other than creating shelter; or a movable construction created to shelter any form of human activity.

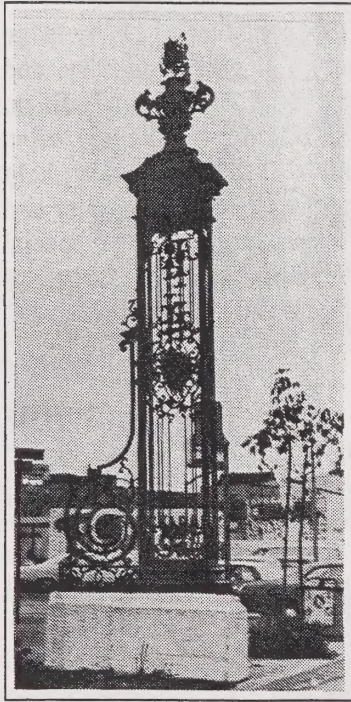
Examples: Bridges, dams, tunnels, highways, rail lines, footpaths, transportation vehicles, telescopes, fuel storage tanks, street lights.



Structures: Left: Posey Tube, Harrison Street south of 6th Street, 1925-28. Underwater tunnel with monumental portals housing ventilation equipment. Oakland Landmark No. 110.

Right: "Path of Silver" Beaux Arts street lights, Grand Avenue and other streets. Originals installed 1925-30; some recently restored and new fixtures added.

TABLE 2-1: DEFINITION OF PROPERTY TYPES LISTED IN HISTORIC PRESERVATION GOAL 2 (continued).



Object: Lakeshore Highlands Portals, Longridge and Trestle Glen Roads at Lake Shore Avenue, 1918. Beaux Arts entries to residential subdivision, influenced by City Beautiful Movement. Oakland Landmark No. 20.

- (4) An **object** is a relatively small and simple movable or nonmovable functional construction or a movable or nonmovable construction which is primarily artistic in nature.

Examples: Sculptures, fountains, murals, signs, hitching posts, tombstones, monuments, fences.

- (5) A **district** is a significant concentration, linkage, or continuity of buildings, structures, objects, sites, natural features related to human presence; or activities united historically or aesthetically by plan, appearance, or physical development.

Examples: Residential, commercial, or industrial neighborhoods; civic areas, cemeteries, landscaped parks, estates, institutional complexes or campuses, transportation networks.

- (6) A **site** is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, commemorative, or archeological value regardless of the value of any existing building or structure.

- (7) A **natural feature related to human presence** is an individual living or nonliving element of nature introduced or significantly influenced by human activity or associated with significant persons, events, or historical patterns.

Examples: Trees, small gardens, creeks, lakes.

Natural Features Related to Human Presence: Arbor Villa Palm Trees, 9th Avenue and adjacent streets north of East 24th Street. Border planting for Borax Smith's now-demolished estate. Oakland Landmark No. 23.



- (8) An **activity** is a store, business, institution or other ongoing land use typically characterized by distinctive or unusual merchandise, materials, or manner of operation or by special historical or cultural associations. Activities are evaluated independently from the buildings or other premises they may occupy.

■ **Employment opportunities**

Rehabilitation, and particularly historic building restoration, is generally more labor intensive than new construction and therefore creates more jobs for the same investment. This is especially significant since old buildings needing rehabilitation are often concentrated in neighborhoods with high unemployment. New York, Chicago, Baltimore, and other cities have job training programs which specifically focus on old building rehabilitation and emphasize skills which maintain historic fabric and reduce rehabilitation costs.

■ **Cost-effective preservation of affordable housing**

Much of Oakland's low cost housing is located in historically or architecturally significant buildings. Examples include West Oakland's Victorians and downtown Oakland's residential hotels and older apartment buildings. Retaining these structures in their present use preserves both affordable housing and historical and architectural resources.

Many of these structures are deteriorated, but well managed rehabilitation projects generally cost less than new construction.

■ **Economic development opportunities**

Older buildings frequently provide retail and commercial space for the small businesses which are vital to downtown and neighborhood economies. Investment in these buildings leads to an enhanced tax base, greater public revenues, and permanent job creation. The special character and atmosphere of well-managed old buildings sometimes helps attract customers and can act as a catalyst for investment in neighboring properties. For example, Oakland's opulent 1920's Grand Lake Theater not only attracts two to three times as much patronage as a conventional new theater, but its success has stimulated new businesses which serve both residents and visitors.

■ **Community identity, public relations and "image"**

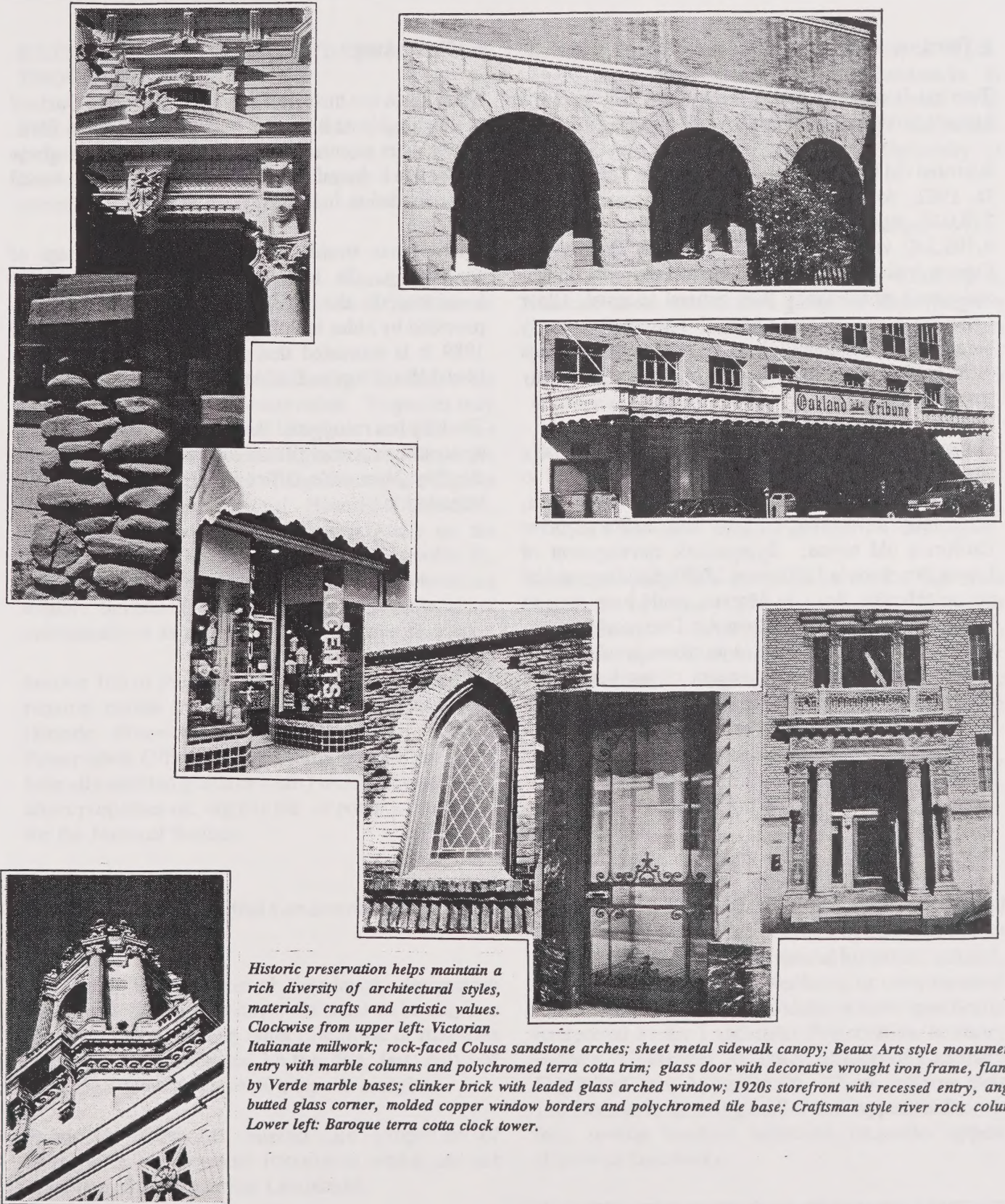
Preservation of older buildings encourages knowledge and respect for a community's character, history, and culture. The distinctive designs of older buildings, especially those of special visual prominence, often make them important symbols of the community, help give it a special identity, and avoid the anonymity and uniformity of much new development. The special character and imagery of the world's great cities, such as San Francisco and Paris, are often due to their older buildings.

Oakland has numerous prominent older buildings which serve as community symbols. These include: the Tribune Tower, City Hall, Broadway Building, Paramount Theater, the Safeway tower on East 14th Street, St. Elizabeth's Church in Fruitvale, the Claremont Hotel, the old University High School campus in North Oakland, and West Oakland's Victorians. Retention and respectful maintenance of these symbolic buildings can stimulate rehabilitation of surrounding older structures and inspire improved design quality for new buildings.

■ **Educational, cultural, and artistic values**

Historic Preservation helps maintain a record of diverse building types, cultural traditions, and architectural styles, materials, and crafts not generally found in new construction. The ongoing exhibition of this record as part of the public streetscape has an important educational function in its illustration of local historical development and past ways of life.

Similarly, preserving buildings with high artistic value preserves and exhibits the most conspicuous part of a community's artistic heritage.



Historic preservation helps maintain a rich diversity of architectural styles, materials, crafts and artistic values. Clockwise from upper left: Victorian Italianate millwork; rock-faced Colusa sandstone arches; sheet metal sidewalk canopy; Beaux Arts style monumental entry with marble columns and polychromed terra cotta trim; glass door with decorative wrought iron frame, flanked by Verde marble bases; clinker brick with leaded glass arched window; 1920s storefront with recessed entry, angled butted glass corner, molded copper window borders and polychromed tile base; Craftsman style river rock column. Lower left: Baroque terra cotta clock tower.

■ Tourism

Tourism is one of California's largest industries and historic properties are a major factor in its growth.

Restored old towns are among California's attractions. In 1982, for example, Old Sacramento received 798,026 visitors and Old Town San Diego had 4,105,280 visitors. Studies in South Dakota and Oregon indicate that historic site tourists stay longer and spend more money than general tourists¹. Older cities are generally more attractive to tourists partly because they contain building types and neighborhoods different from the suburban communities where many travelers live.

Oakland's large collection of interesting and potentially attractive older structures makes it well positioned to take advantage of tourism. The Old Oakland area, when fully developed, will be comparable to other California old towns. Sympathetic development of Lower Broadway's 1850's and 1860's buildings and of the neighboring Produce Market, could help support Jack London Square. Uptown Art Deco architecture, with the Paramount Theater as its crown jewel, already attracts a small but steady stream of tourists. Lake Merritt, Lakeside Park, and the Camron-Stanford House are resources unique to Oakland which, in recent years, have attracted numerous visitors for special fairs and festivals.

■ Filmmaking

Many films use historical settings. Cities like Oakland are invaluable as historical backdrops for these films. Filmmakers often employ large crews and casts whose patronage benefits the community's travel accommodation industry.

Oakland has already taken significant advantage of filmmaking. In 1990, 49 films used Oakland for locations; of these, 27 used the special settings provided by older buildings. During 1987, 1988, and 1989 it is estimated that filmmaking contributed at least \$15 million to Oakland's economy.

The City has recognized the importance of filmmaking by creating a special filmmaking assistance unit within the City Manager's Office of Marketing and Public Information.

1. J. Laurence Mintier, Measuring Historic Preservation's Impact on States: A Study of California's Historic and Cultural Resources, December 1983, 17-18.

EXISTING HISTORIC PRESERVATION PROGRAMS

The most significant existing historic preservation programs applicable to Oakland are summarized below. See Technical Report, Chapter 4 for a more complete listing and description.

National Register of Historic Places, National Historic Landmarks and Section 106 of the National Historic Preservation Act

The National Register is the federal government's list of properties warranting preservation. Properties may be added to the National Register at either the national, state or local level of significance. Properties listed at the national level of significance are eligible for designation as National Historic Landmarks. About 38 Oakland properties are currently on the National Register (see Figure 2-1 and Appendix B), and several hundred have been officially determined eligible. Several thousand more may be eligible, either individually or as part of National Register districts.

Section 106 of the National Historic Preservation Act requires review by the federal Advisory Council on Historic Preservation and/or the State Historic Preservation Officer of any federal actions (including federally-assisted grants or loans) which may adversely affect properties on, eligible for, or potentially eligible for the National Register.

California State Historical Landmarks and Points of Historical Interest

California State Historical Landmark designation criteria are highly restrictive. In order to be eligible, a property must, among other things, be of statewide historical importance and be the first, last, only, or most significant example of a type in a region.

Points of Historical Interest are properties of countywide and regional importance which are not eligible as State Historical Landmarks.

Neither designation has direct regulatory protection, but State Historical Landmarks are eligible for official

landmark plaques and highway directional signs. There are eleven State Historical Landmarks in Oakland, and one Point of Historical Interest. The State Historical Landmarks include the Paramount Theater and the original site of the University of California.

California Register of Historical Resources

The California Register was created in 1992. It is intended as an authoritative guide for identifying the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change. The Register presently includes:

1. properties on or officially determined eligible for the National Register of Historic Places; and
2. State Historical Landmarks Nos. 770 and higher.

Additional properties can be placed on the California Register by the State Historical Resources Commission. Substantial adverse changes to properties on or determined eligible for the Register are considered "significant effects" under the California Environmental Quality Act (CEQA) and require either an Environmental Impact Report or mitigation to a nonsignificant level. (See Chapter 5, Policy 3.8 discussion of CEQA, and Technical Report, Chapter 4, Section E.2).

Oakland Landmarks

Properties eligible as Oakland landmarks are defined at Section 2002(p) of the Zoning Regulations as those having "special character or special historical, cultural, educational, architectural, aesthetic, or environmental interest or value." This definition is more specifically interpreted in the Landmarks Preservation Advisory Board's "Guidelines for Determination of Landmark Eligibility" (see Appendix D). There are now over 110 landmarks (see Figure 2-2 and Appendix B). At least several hundred additional properties appear eligible as landmarks.

Demolition of a landmark can be postponed for up to 240 days and City Planning Department approval is

required for any exterior alterations after a recommendation from the Landmarks Board.

S-7 Preservation Combining Zone

This is Oakland's preservation district zone. Areas eligible for S-7 designation are defined at Section 6400 of the Zoning Regulations as those having "special importance due to historical association, basic architectural merit, the embodiment of a style or special type of construction, or other special character, interest or value". About 40 properties are located within five existing S-7 Zones (see Figure 2-2).

Demolition and design regulations for S-7 properties are the same as for landmarks.

Preservation Study List

The Preservation Study List is defined at Section 7005 of the Zoning Regulations as "a study list of facilities under serious study . . . for possible landmark designation . . . or for other appropriate [preservation] action . . .". Properties can be added to or removed from the study list by the Landmarks Board, the City Planning Commission, or the Director of City Planning, but, in practice, this has mostly been done by the Board. About 300 properties are now on the study list.

Demolition of study list properties can be postponed for up to 60 days by the Director of City Planning.

Oakland Cultural Heritage Survey

This is an ongoing comprehensive historical and architectural survey conducted by the City Planning Department since 1979. All individual properties are thoroughly researched, documented and evaluated according to an A-B-C-D-E rating scale. Possible historic districts and other historically significant property groupings are identified and ranked either as "Areas of Primary Importance" (APIs) or "Areas of Secondary Importance" (ASIs). The Survey evaluation system is in Appendix C.

State Historical Resources Inventory forms providing detailed descriptions and historical information are prepared for all properties the Survey believes are eligible for the National Register, either individually or as part of possible National Register districts. All A-rated properties and most "B's" are considered individually eligible for the Register; APIs are considered eligible as districts.

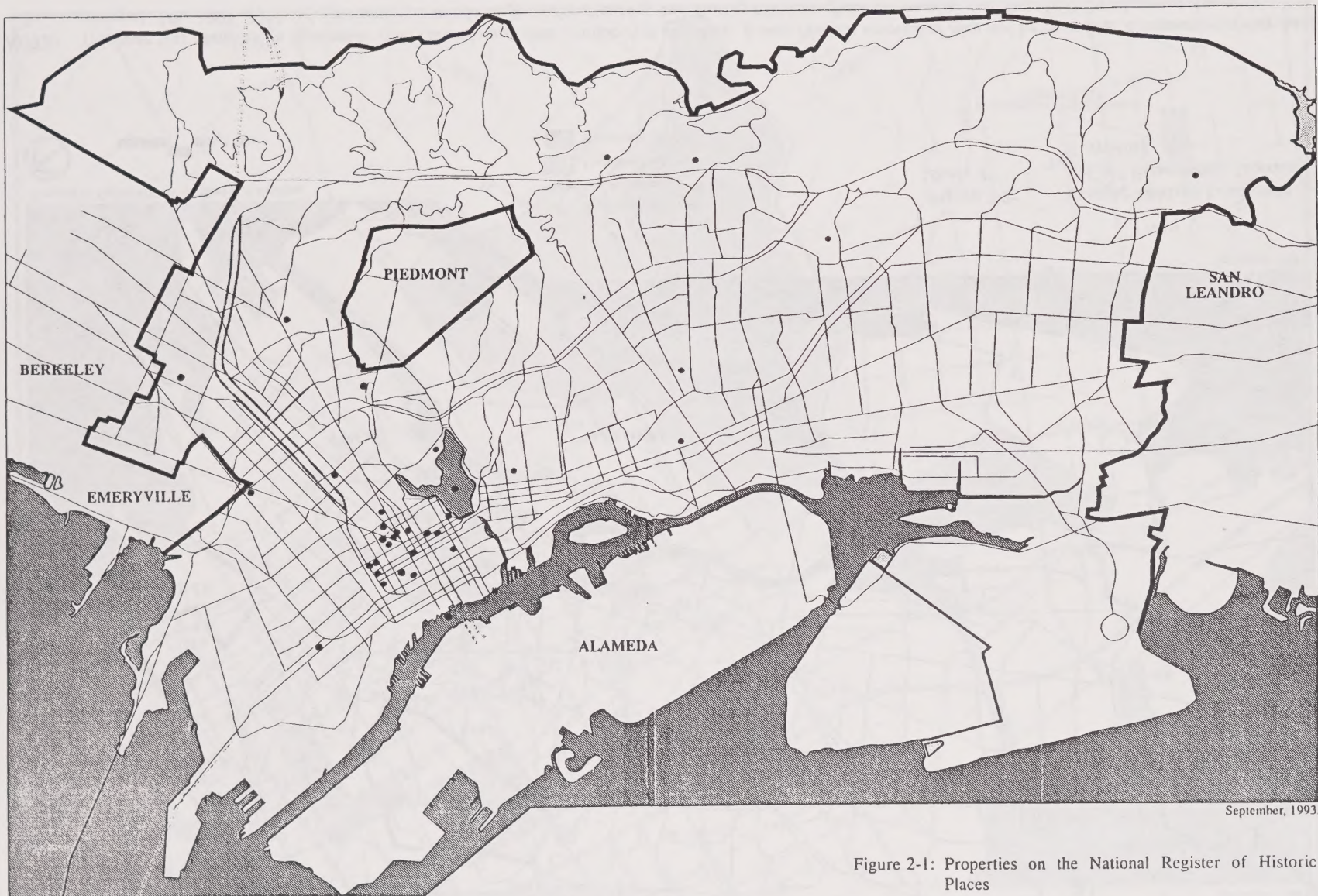
The Survey assists National Register nominations and Section 106 reviews. The Survey has also been used by the Landmarks Board to assist Oakland landmark designations and as a basis for adding properties to the preservation study list.

The Survey has completed a sampling of properties in several small selected areas throughout the City, and all properties in the Central District, Adams Point and West Oakland. About 8,000 properties have been surveyed and about 2,200 have been documented on State Forms. Areas documented by the Survey are shown on Figure 2-3 along with generalized locations of individual properties the Survey or similar methodology considers eligible for the National Register and APIs and ASIs.

Inclusion of a property in the Cultural Heritage Survey has no direct regulatory impact, except for properties subject to the Earthquake Repair or Unreinforced Masonry Building Ordinances described below.

Oakland Citywide Preliminary Historical and Architectural Inventory

This is a "windshield" survey covering most of the City conducted by the City Planning Department in 1986. The preliminary inventory is primarily intended to prioritize future areas to be covered by the Cultural Heritage Survey and to preliminarily identify properties which may be eligible for National Register, Oakland Landmark, or S-7 designation. The inventory also assists environmental review under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA).



September, 1993.

Figure 2-1: Properties on the National Register of Historic Places

• Properties on the National Register of Historic Places

Prepared by Oakland Office of Planning & Building.



1 Mile

NOTE: This map was prepared in September 1993, based upon data available at that time. It may contain errors and may not be complete. Circumstances may have changed since 1993. Updated information is available from the Planning and Zoning Division of the Community and Economic Development Agency.

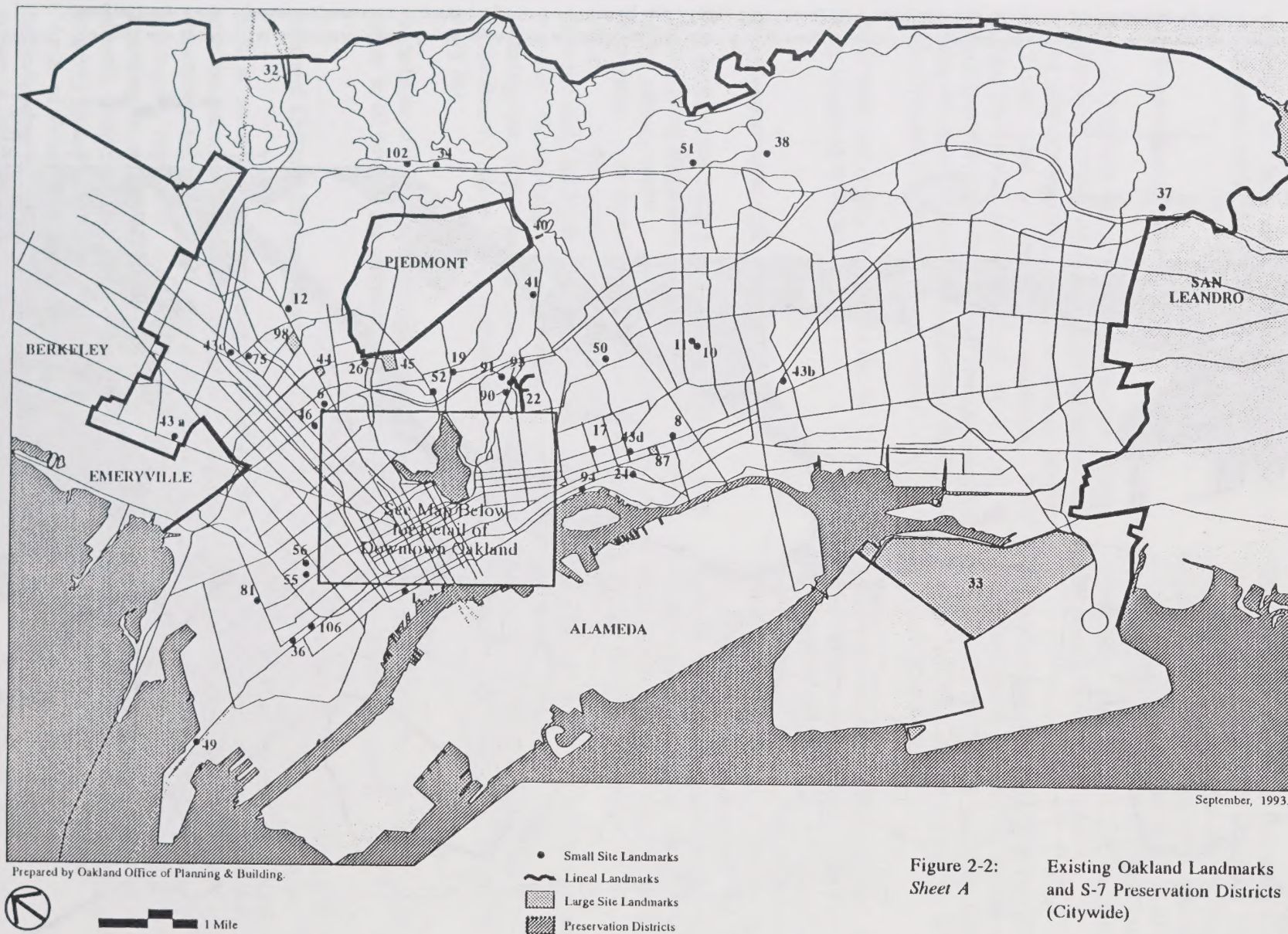
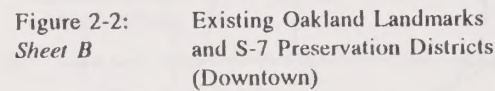
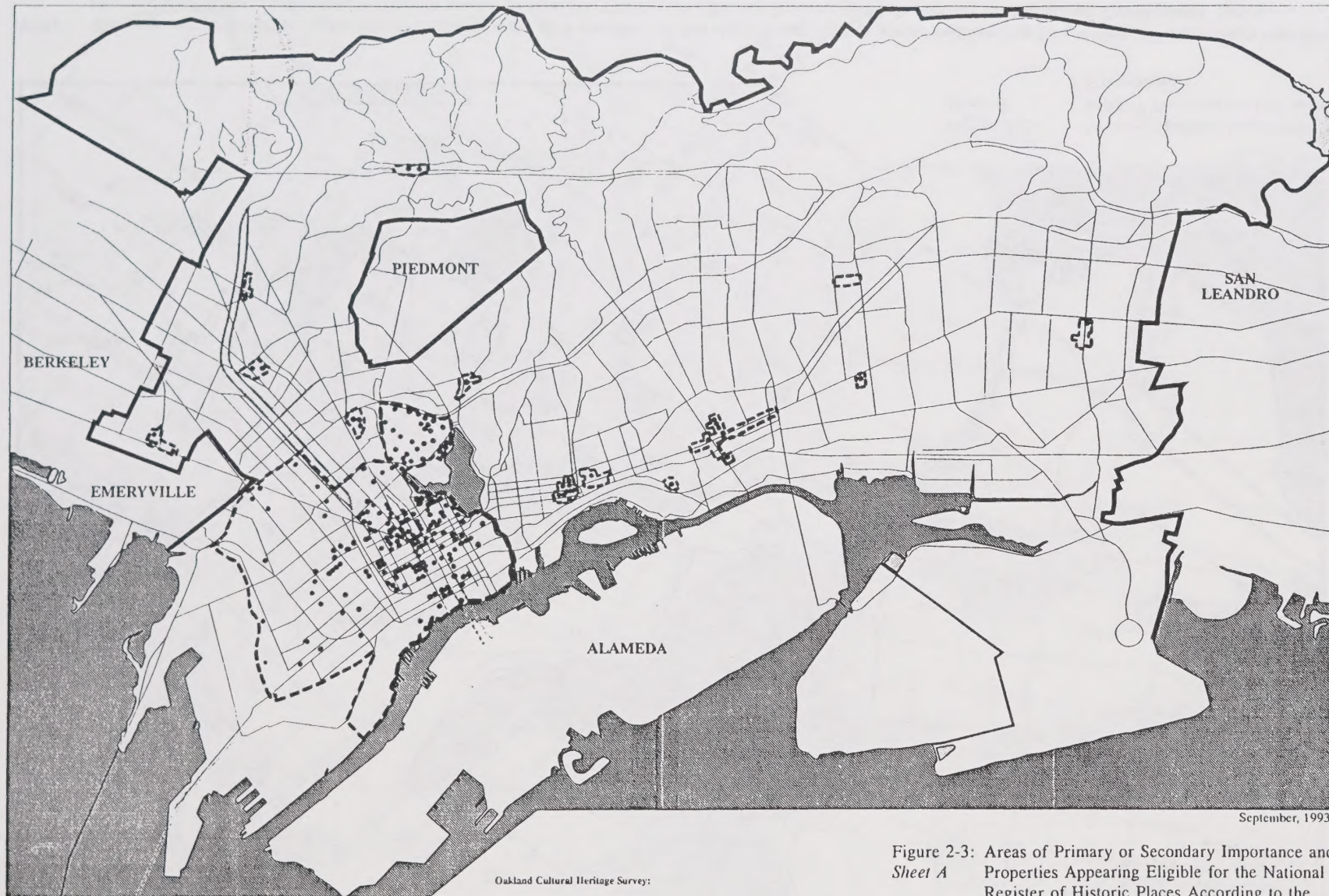


Figure 2-2:
Sheet A Existing Oakland Landmarks
and S-7 Preservation Districts
(Citywide)

NOTE: This map was prepared in September 1993, based upon data available at that time. It may contain errors and may not be complete. Circumstances may have changed since 1993. Updated information is available from the Planning and Zoning Division of the Community and Economic Development Agency.



Page 2-10B (sheet B)

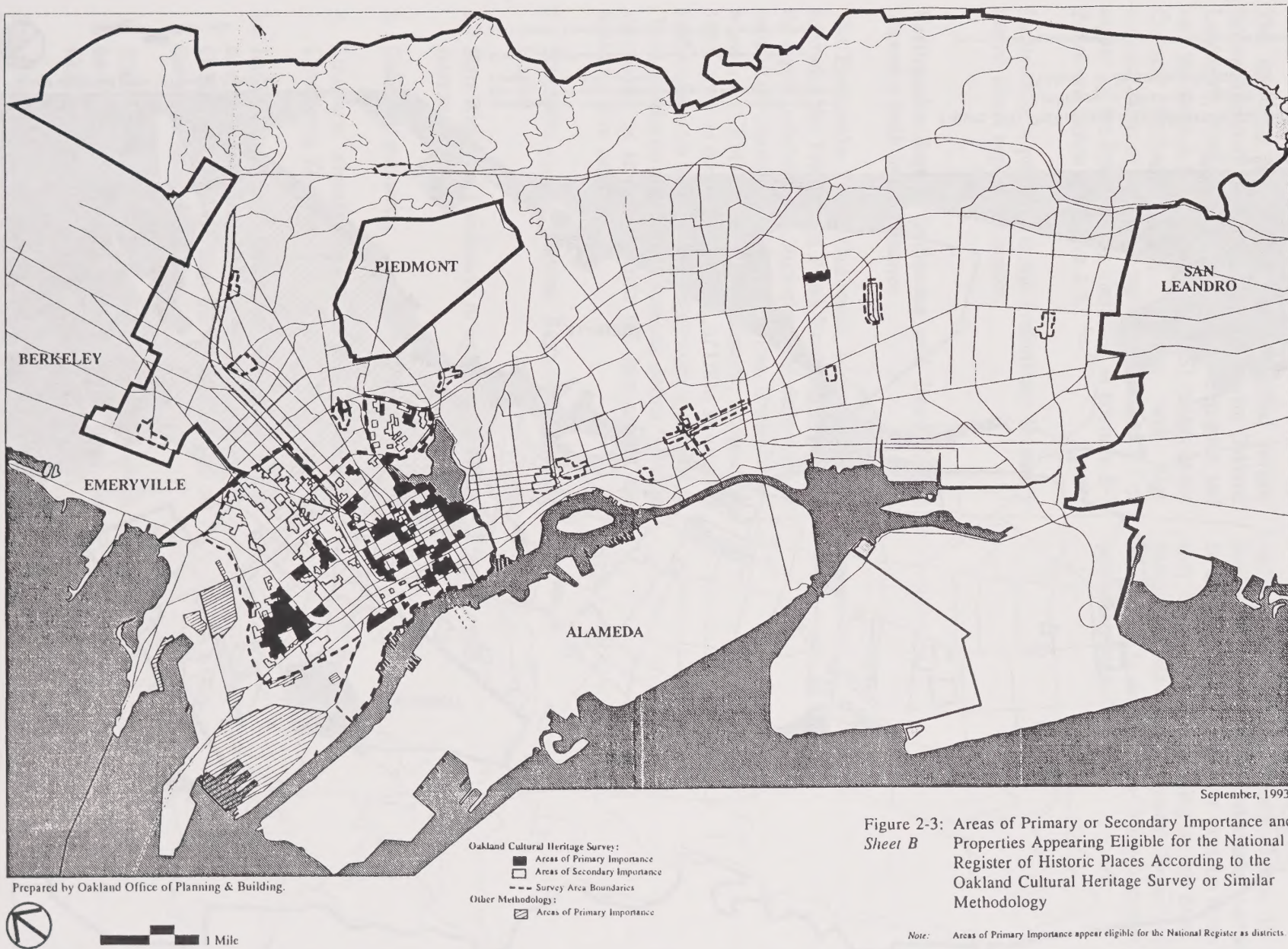


September, 1993.

Figure 2-3: Areas of Primary or Secondary Importance and Properties Appearing Eligible for the National Register of Historic Places According to the Oakland Cultural Heritage Survey or Similar Methodology

Note: Areas of Primary Importance appear eligible for the National Register as districts.

NOTE: This map was prepared in September 1993, based upon data available at that time. It may contain errors and may not be complete. Circumstances may have changed since 1993. Updated information is available from the Planning and Zoning Division of the Community and Economic Development Agency.



NOTE: This map was prepared in September 1993, based upon data available at that time. It may contain errors and may not be complete. Circumstances may have changed since 1993. Updated information is available from the Planning and Zoning Division of the Community and Economic Development Agency.

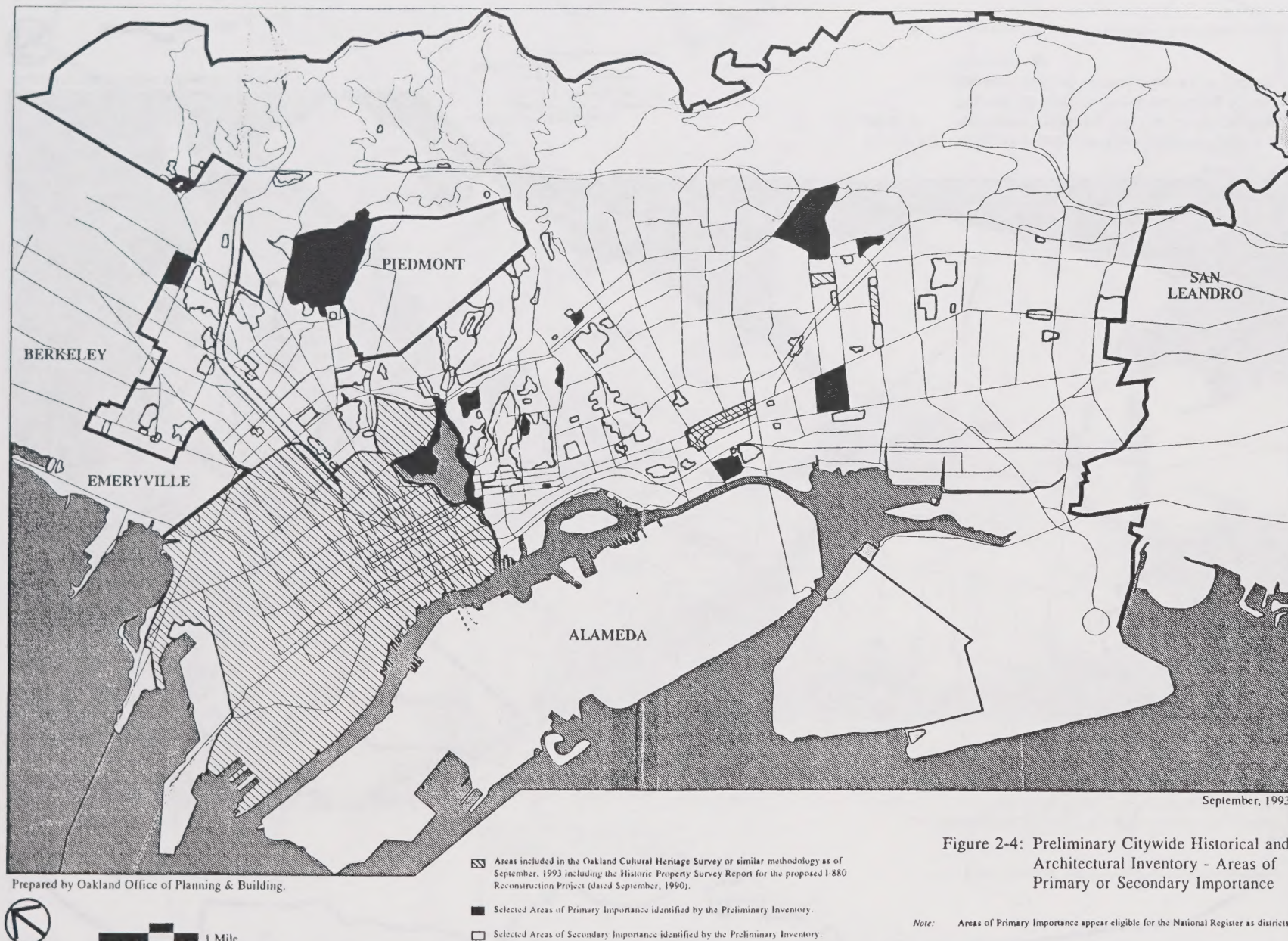


Figure 2-4: Preliminary Citywide Historical and Architectural Inventory - Areas of Primary or Secondary Importance

NOTE: This map was prepared in September 1993, based upon data available at that time. It may contain errors and may not be complete. Circumstances may have changed since 1993. Updated information is available from the Planning and Zoning Division of the Community and Economic Development Agency.

The inventory has preliminarily identified several thousand properties which may be eligible for Oakland Landmark, National Register, or S-7 designation and uses the same A-B-C-D-E and API/ASI ratings as the Cultural Heritage Survey. Areas with high concentrations of properties preliminarily rated "C" or higher by the Inventory or identified as possible S-7 Zones are shown on Figure 2-4.

Inclusion of a property in the Preliminary Inventory has no direct regulatory impact.

Earthquake Repair Ordinance and Unreinforced Masonry Building Ordinance

The Earthquake Repair Ordinance, adopted in 1990 following the 1989 Loma Prieta Earthquake, governs the repair, rehabilitation, alteration, and demolition of earthquake-damaged structures. The Unreinforced Masonry (URM) Building Ordinance, adopted in 1993, governs the seismic retrofit of URM structures. Both ordinances have similar regulations applicable to "historic structures". The ordinances define "historic structures" as structures which fall into any of the following five categories:

1. Structures on the National Register of Historic Places;
2. State Historical Landmarks or Points of Historical Interest;
3. Oakland landmarks;
4. Structures contributing to an S-7 Preservation Combining Zone; or
- 5a. Earthquake Repair Ordinance: structures which have received an "A" or "B" rating from the Oakland Cultural Heritage Survey **and** are also on the preservation study list;
- b. URM Building Ordinance: **all** structures which have received an "A" or "B" rating from the Oakland Cultural Heritage Survey.

Structures which are "historic structures" as defined in the ordinances have regulatory controls on demolitions

and exterior alterations very similar to those for landmarks (see "Oakland Landmarks" section above). In addition, repair or retrofit work on these structures may be performed according to the State Historical Building Code (See Technical Report, Chapter 4, Section D.3) rather than being required to meet prevailing code.

EXISTING HISTORIC PRESERVATION PROGRAM DEFICIENCIES

Despite the ongoing historic preservation activities described above and existing widespread rehabilitation efforts, many of Oakland's older buildings continue to deteriorate, experience adverse alterations, or be demolished, sometimes as a result of direct action by the City. This has resulted in unfortunate losses of important architectural and historical resources, affordable housing stock, and potential economic development opportunities.

Rehabilitation and demolition of buildings damaged in the 1989 earthquake, and the seismic retrofitting of unreinforced masonry buildings and other older buildings (see preceding section and Technical Report, Chapter 4, Sections E.4 and F.3) may accelerate these trends.

Major deficiencies in Oakland's existing historic preservation programs include:

- (1) Lack of a formally-adopted method for identifying which older properties are worthy of at least some preservation effort and for determining which types of efforts should be applied to which types of properties and situations.
- (2) Weak demolition controls for landmarks and preservation districts.
- (3) Inadequate definition of the property owner's role in landmark and other historic property designations.
- (4) Unnecessary delays, burdens and uncertainties in landmark and preservation district permit requirements.
- (5) Inadequate economic or other incentives to encourage property owners to accept preservation regulations or to initiate preservation activities.
- (6) No policies or other methods for balancing historic preservation with other potentially conflicting concerns, such as property owner interests, blight abatement, economic factors, and facilitating housing, economic development, and other projects important to the City.
- (7) Inadequate procedures to protect and enhance significant older properties as part of ongoing City activities, including City-sponsored or assisted projects, programs, and regulatory activities.
- (8) Need for more effective code enforcement and other methods to stabilize, adequately secure, and rehabilitate significant older properties which are severely deteriorated, vacant, or abandoned.
- (9) No Citywide database of potentially significant archeological sites and inadequate procedures for protecting significant sites.
- (10) Lack of broad community awareness and appreciation of Oakland's history and architecture and of the value of preserving significant older properties.
- (11) Insufficient technical knowledge by many property owners and developers of cost-effective maintenance, rehabilitation, and development financing for older buildings.
- (12) Inadequate availability and dissemination of historic preservation information, including existing historical and architectural survey information, among City departments and the public.

HISTORIC PRESERVATION STRATEGY AND OBJECTIVES

The City's Historic Preservation Strategy, intended to correct the above deficiencies, consists of the following five objectives:

OBJECTIVE 1: IDENTIFYING PROPERTIES POTENTIALLY WARRANTING PRESERVATION

To adopt an objective, consistent, well-documented, and widely-accepted method for identifying which properties warrant, or may warrant, preservation effort and for determining the relative importance of each of these properties so that preservation efforts may be appropriately gauged.

Use identification criteria that allow significant Citywide exposure to preservation benefits and recognize Oakland's unusual array of significant older properties, while also recognizing that, after balancing preservation with other concerns, preservation of many of these properties may not be warranted. Structure the identification process to comprehensively address the entire City, at least preliminarily, in the shortest possible time. Present identification results in a clear and comprehensive manner that allows broad community dissemination.

OBJECTIVE 2: PRESERVATION INCENTIVES AND REGULATIONS

To develop a system of preservation incentives and regulations for specially designated significant older properties which (i) enhances economic feasibility for preservation; (ii) provides a predictable and appropriate level of protection, based on each property's importance; (iii) reasonably balances preservation with other concerns; and (iv) operates efficiently, avoiding unnecessary regulatory procedures and review periods.

Link preservation regulations with preservation incentives to encourage owner acceptance of the regulations and compensate public investment in the incentives.

Reserve the strongest regulations for the most important properties. Strengthen existing demolition postponement provisions where justified by the property's importance so that demolition is not permitted unless certain findings are made. Ensure that the views of property owners and users receive adequate attention when considering regulatory designation.

Develop clear standards and design guidelines for approving projects involving regulated properties. For proposals adversely affecting these properties, weigh the public benefit in preserving the property with such factors as the public benefit in approving the proposal, the proposal's design quality, and any hardship or difficulties preservation may impose on owners or users.

During demolition postponements, ensure that owners and other interested parties are provided information on demolition alternatives.

OBJECTIVE 3: HISTORIC PRESERVATION AND ONGOING CITY ACTIVITIES

To establish administrative procedures and criteria to promote preservation of significant older properties as a routine part of City-sponsored or assisted projects, programs, and regulatory activities.

Ensure that City actions do not adversely affect significant older properties unnecessarily.

Emphasize repair and rehabilitation rather than demolition for damaged, hazardous, or abandoned buildings and investigate ways to expedite rehabilitation.

Develop and implement effective building security methods. Ensure that zoning and other land use regulations do not unnecessarily promote adverse changes to significant older properties. Preserve City-owned significant older properties as an example to others.

OBJECTIVE 4: ARCHEOLOGICAL RESOURCES

To develop databases identifying existing and potential archeological sites and adopt procedures for protecting significant archeological resources.

Apply the procedures to projects requiring discretionary City approval.

OBJECTIVE 5: INFORMATION AND EDUCATION

To provide and encourage informational and educational programs to enhance public and City staff appreciation of older properties and increase the level of technical knowledge to preserve these properties in a cost-effective manner.

Ensure that information on the City's historic property identification methods, preservation incentives, preservation regulations, and historic preservation policies are widely disseminated and clearly understood.

Use markers, walking tours, school programs and publications to enhance public awareness of Oakland's history and architecture.

* * * * *

These objectives are the basis for the policies and actions presented in Chapters 3 through 6.

Chapter 3: IDENTIFYING HISTORIC PROPERTIES

OBJECTIVE 1: IDENTIFYING PROPERTIES POTENTIALLY WARRANTING PRESERVATION

To adopt an objective, consistent, well-documented, and widely-accepted method for identifying which properties warrant, or may warrant, preservation effort and for determining the relative importance of each of these properties so that preservation efforts may be appropriately gauged.

For an effective historic preservation program, properties which may warrant preservation must first be identified. The usual process is a historical and architectural survey or inventory.

The City has been conducting the Oakland Cultural Heritage Survey since 1979 and conducted the Citywide Preliminary Historical and Architectural Inventory in 1986 (See Chapter 2 and Technical Report, Chapter 4, Section F.5). However, neither survey covers all properties in the City and neither has been formally adopted as the City's official method for determining which properties may warrant preservation. Moreover, the two surveys only provide the information necessary to make preservation determinations; they do not make the determinations themselves.

The following policies and actions use these surveys to determine which properties may warrant preservation effort and list the steps necessary to complete and maintain the surveys.

POLICY 1.1: HISTORICAL AND ARCHITECTURAL INVENTORY

The City will establish and maintain a Historical and Architectural Inventory which covers all of Oakland. The Inventory will investigate all individual pre-1946 properties and areas throughout the City and will evaluate each property and area according to the table entitled "Historical and Architectural Inventory Rating System". The Inventory will consist of a Reconnaissance Survey which will cover the entire City as quickly as possible and an Intensive Survey that will perform detailed research and evaluation. The Reconnaissance Survey will serve as an interim Inventory for properties not yet covered by the Intensive Survey.

Policy's 1.1's "Historical and Architectural Rating System" is shown in Table 3-1 and described further in Appendix C. It is the same system now used by the existing Cultural Heritage Survey and Citywide Preliminary Historical and Architectural Inventory. The system uses five tiers (A-B-C-D-E) to rate individual properties and two tiers (**Areas of Primary Importance**, and **Areas of Secondary Importance**, or **APIs** and **ASIs**) to rate multiple properties and districts. Individual properties can have both "existing ratings" and "contingency ratings". Properties located in APIs and ASIs can be either "contributors", "noncontributors" or "potential contributors" to the API or ASI.

The five ratings and the bold face terms above are used throughout the Historic Preservation Element and are a primary basis for most of the Element's policies and actions. See Table 3-1 and Appendix C for definitions of these ratings and terms. Appendix C includes photographs showing examples of properties receiving various ratings.

TABLE 3-1: HISTORICAL AND ARCHITECTURAL INVENTORY RATING SYSTEM.
(Incorporated by reference into Policy 1.1)

INDIVIDUAL PROPERTY RATINGS

A - Highest Importance. Properties of exceptional historical or architectural value which are clearly eligible individually for the National Register of Historical Places. Properties generally appropriate for an "A" rating include those which are outstanding examples of an important style, type, or convention, or which are intimately associated with a person, organization, event, or historical pattern of extreme importance at the local level or of major importance at the state or national level.

B - Major Importance. Properties of major historical or architectural value, but less important than those rated "A". Although most Bs are individually eligible for the National Register, they may be somewhat marginal candidates. Properties generally appropriate for a "B" rating include those which are especially fine examples of an important style, type, or convention or which are intimately associated with a person, organization, event, or historical pattern of major importance at the local level or of moderate importance at the state or national level.

C - Secondary Importance. Properties having sufficient historical or visual/architectural value to warrant limited recognition but which do not appear individually eligible for the National Register. Properties generally appropriate for a "C" rating include those which are superior or visually important examples of a particular style, type, or convention and most buildings which were constructed prior to 1906.

D - Minor Importance. Properties which are not individually distinctive but which are typical or representative examples of an important style, type, convention or historical pattern. The great majority of Oakland's pre-1946 properties fall into the "D" category.

E - Of No Particular Interest. Properties which are not representative of any important style, type, convention, or historical pattern and are visually undistinguished.

*** - Not Rated.** Properties built or established after 1945. Also pre-1946 properties that have been totally and irreversibly remodeled since 1945.

Existing Ratings and Contingency Ratings

Properties having conditions or circumstances which could change significantly in the future are assigned two ratings. The first, or "existing" rating, shown by an upper case letter, describes the property under present circumstances. The second, or "contingency" rating, shown by a lower case letter, describes the property under possible future circumstances.

The following properties normally receive both ratings: (i) properties which have been altered in a manner adversely affecting their Character-Defining Elements but which would receive higher ratings if the alterations were reversed; (ii) occasional post-1945 properties which are "Not Rated" because they are too new, but which are likely "A" or "B" candidates when they are older; and (iii) properties believed to have historical importance which has not been documented, but which would receive higher ratings if such documentation becomes available.

For example, a property rated "E/b" would be considered an "E" in its present condition or circumstance, but a possible "B" under a specific future circumstance such as an altered property that is later restored.

MULTIPLE PROPERTY RATINGS -- AREAS OF PRIMARY IMPORTANCE AND AREAS OF SECONDARY IMPORTANCE

Areas of Primary Importance (APIs) are historically or visually cohesive areas or property groups which usually contain a high proportion of individual properties with ratings of "C" or higher and appear eligible for the National Register of Historic Places either as a district or as a historically-related complex. At least two-thirds of the properties in an API must be "contributors" to the API, i.e. they reflect the API's principal historical or architectural themes and have not had their character changed by major alterations.

Properties which do not contribute to an API because of alterations, but which could contribute if the alterations are at least partly reversed, are "potential contributors" to the API. Properties which do not reflect the API themes are "noncontributors".

Areas of Secondary Importance (ASIs) are similar to APIs, except:

- potential contributors to the ASI are counted for purposes of the two-thirds threshold as well as contributors; and
- ASIs do not appear eligible for the National Register.

By adopting this rating system, Policy 1.1 establishes the existing surveys as the City's official Historical and Architectural Inventory. The "Reconnaissance Survey" referred to in Policy 1.1 is the Citywide Preliminary Historical and Architectural Inventory, while the "Intensive Survey" is the Oakland Cultural Heritage Survey.

Policy 1.1 is a commitment to complete both the Reconnaissance and Intensive Surveys. The Reconnaissance Survey can be finished fairly quickly, but the Intensive Survey will require a much longer period, perhaps 10-15 years.

ACTION 1.1.1: RECONNAISSANCE SURVEY

Complete the Reconnaissance Survey.

Completing the Reconnaissance Survey will require:

- (a) surveying the relatively small part of Oakland that was not included in the original 1986 Survey; and
- (b) photographing properties receiving existing or contingency ratings of "C" or higher or located in APIs or ASIs. The photographs will provide the primary basis for the Survey's ratings and will document properties which could later be altered or demolished.

ACTION 1.1.2: INTENSIVE SURVEY

Develop a long range plan and schedule for completing the Intensive Survey, including a priority list of properties and areas to be surveyed.

The priority list should be based on the Reconnaissance Survey results and on whether an area or class of properties may be threatened. The plan should involve community and business groups, other City departments and official bodies such as the Landmarks Board and City Planning Commission.

ACTION 1.1.3: INVENTORY DATABASE, LISTS AND MAPS

Prepare and maintain a comprehensive computerized database, lists and set of maps of properties included in the Reconnaissance and Intensive Surveys.

The database will be developed concurrently with completion of the Reconnaissance Survey (Action 1.1.1). The database will be organized by address or location and, for each property, show the Reconnaissance or Intensive Survey rating; National Register status; Landmark, Preservation District or other local designation status; year constructed or established; the architect, designer and/or builder, if known; identified interior spaces of major significance, if any; and other information as appropriate. The database should be incorporated into the proposed citywide land-use database (see Action 5.1.7).

The database will be used to generate a wide variety of lists of surveyed properties. The most important list would show properties receiving existing or contingency ratings of "C" or higher and properties located in APIs or ASIs. These properties are identified for possible preservation efforts by Policy 1.2 below and Policies 2.2 and 2.5 in Chapter 4. Other lists could show properties designed by a particular architect; those receiving "A", "B" or other specified ratings; and those representing "special development opportunities", e.g. vacant noncontributing parcels appropriate for new infill development in APIs or ASIs, or altered buildings which would have a better appearance if restored to their original or historic design.

The database and lists should be supplemented by a system of easily reproducible citywide maps. The maps should show all individual properties with existing or contingency ratings of "C" or higher and all properties located in APIs or ASIs. The maps should be prepared as part of the City's proposed computerized Geographic Information System (GIS).

ACTION 1.1.4: UPDATING THE INVENTORY

Establish a process for updating the Reconnaissance and Intensive Surveys as new information is obtained and to reflect changes to surveyed properties.

There is presently no way to monitor demolitions, alterations, and other changes to surveyed properties. These changes sometimes significantly affect a property's character and can modify the property's Survey ratings.

The City's computerized Permit Tracking System, if linked to the Historical and Architectural Inventory database, would assist the updating process.

POLICY 1.2: POTENTIAL DESIGNATED HISTORIC PROPERTIES

The City considers any property receiving an existing or contingency rating from the Reconnaissance or Intensive Surveys of "A" (highest importance), "B" (major importance), or "C" (secondary importance) and all properties determined by the Surveys to contribute or potentially contribute to an Area of Primary or Secondary Importance to warrant consideration for possible preservation. Unless already designated as Landmarks, Preservation Districts, or Heritage properties pursuant to Policy 1.3, such properties will be called "Potential Designated Historic Properties".

This policy describes the specific minimum significance thresholds for properties which may warrant preservation effort by the City.

The thresholds are those most consistent with the broad scope of Chapter's 2's Historic Preservation Goals. The "C" rating is the minimum threshold because "C's" have superior historic, architectural, or aesthetic value and are numerous enough to significantly influence the City's character in the manner envisioned by the Goals. "C's" include most pre-1906 properties including most Victorians. Some are borderline National Register candidates.

Treating contingency "A's", "B's" and "C's" according to their potential value if restored recognizes the design and development opportunities presented by these properties and the major role their restoration could have in Oakland's revitalization. Including API and ASI contributors and potential contributors will promote preservation of Oakland's more distinctive districts and neighborhoods.



Development opportunities presented by remodeled properties: Leimert Block, 458-466 8th Street. Italianate Victorian built 1873-74 (top), poorly remodeled in 1950s (middle) and restored in 1980s (bottom).

The generalized distribution of Potential Designated Historic Properties is shown in Figure 3-1.

ACTION 1.2.1: LIST OF POTENTIAL DESIGNATED HISTORIC PROPERTIES

Prepare a list of Potential Designated Historic Properties. Ensure that the list's information is available to the public.

Potential Designated Historic Properties will be included in Action 1.1.3's Historical and Architectural Inventory database and will also be available as a separate list. The list will be kept at the Permit Counter, and be readily available to the public. The list will be consulted along with Landmark, Preservation District and Heritage Property designations, as part of the Zoning staff's response to requests for how a property is zoned. This will help ensure that property owners and developers are aware of whether the property might be considered historic.

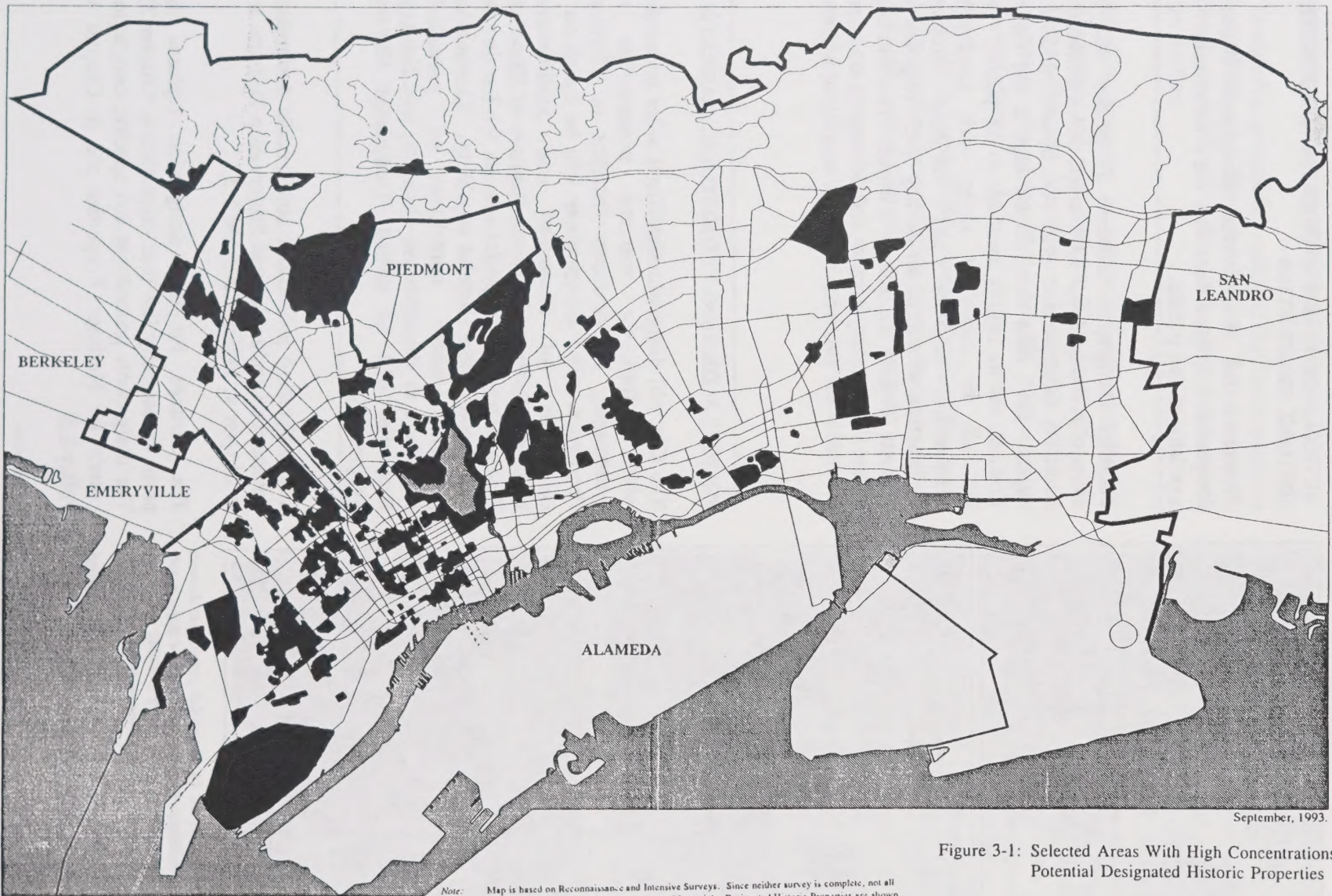
POLICY 1.3: DESIGNATED HISTORIC PROPERTIES

The City will designate significant older properties which definitively warrant preservation as Landmarks, Preservation Districts or Heritage Properties. The designations will be based on a combination of Historical and Architectural Inventory Ratings, National Register of Historical Places criteria, and special criteria for Landmarks and Preservation District eligibility. Landmarks, properties which contribute or potentially contribute to Preservation Districts, and Heritage Properties will be called "Designated Historic Properties".

The designation procedures and specific designation criteria for Landmarks and Preservation Districts are in Chapter 4, Policies 2.2 and 2.3.

The Heritage Property designation replaces the preservation study list (see discussion in Chapter 2). The designation procedures and specific designation criteria for Heritage Properties are in Chapter 4, Policy 2.5.

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NOTE: This map was prepared in September 1993, based upon data available at that time. It may contain errors and may not be complete. Circumstances may have changed since 1993. Updated information is available from the Planning and Zoning Division of the Community and Economic Development Agency.

Chapter 4:

PRESERVATION INCENTIVES AND REGULATIONS

OBJECTIVE 2: PRESERVATION INCENTIVES AND REGULATIONS

To develop a system of preservation incentives and regulations for specially designated significant older properties which (i) enhances economic feasibility for preservation; (ii) provides a predictable and appropriate level of protection, based on each property's importance; (iii) reasonably balances preservation with other concerns; and (iv) operates efficiently, avoiding unnecessary regulatory procedures and review periods.

Of all historic preservation concerns, the use of preservation regulations for demolitions, removals, alterations and new construction is often the most debated. In order to be successful, preservation regulations should:

- (a) provide a reliable and predictable degree of protection;
- (b) appropriately balance preservation with other concerns;
- (c) avoid unnecessary delays and red tape; and
- (d) be accompanied by economic benefits and other incentives to encourage property owners to accept the regulations and initiate preservation activities.

Oakland's existing preservation regulations do not adequately possess these characteristics. The relative lack of meaningful incentives is especially critical. This chapter's policies and their accompanying tables set forth a revised system of regulations coupled with preservation incentives.

POLICY 2.1: PRESERVATION INCENTIVES AND REGULATIONS FOR DESIGNATED HISTORIC PROPERTIES

The City will use a combination of incentives and regulations to encourage preservation of significant older properties and areas which have been designated as Landmarks, Preservation Districts, or Heritage Properties. The regulations will be applied according to the importance of each property, with the more important properties having stronger regulations.

Policy 2.1 is a general policy which is expressed more specifically in this Chapter's remaining policies. Similarly, the following two actions implementing Policy 2.1 also implement this Chapter's remaining policies and are expressed more specifically in the Chapter's remaining actions.

ACTION 2.1.1: AMEND ZONING TEXT

Amend the Zoning Regulations text to incorporate the new preservation regulations and incentives.

The amendments would mostly replace existing Zoning Regulations Sections 7002, 7005 and 6400-6406 concerning landmarks, the preservation study list, and preservation districts. There would also be minor changes to the portions of the Rezoning and Law Change Procedure at Sections 9500-9508 concerning landmark and preservation district designations. All of the substantive zoning text changes are presented in Policies 2.2-2.6 and related tables below. Consolidation of all of the Zoning Regulations' historic preservation provisions into a separate section should be considered.

The text changes should be accompanied by administrative definitions of the phrases "reasonable economic return" and "reasonable use" used in Policy 2.4 (Item 1, Finding (a) of Table 4-1 for demolitions and removals and Item 1(a), Finding (iv) of Table 4-2 for alterations and new construction).

The description in Policy 2.4 (Table 4-1, Item 3) and Policy 2.5 (Table 4-5, Items 1 and 2) of what is supposed to happen during the postponement periods for demolition or removal of Class 3 Landmarks and for demolition, removal, or Specified Major Alteration of Heritage Properties should be stated more specifically in the zoning text. (See Policy 2.2 for Landmark class definitions, and Policy 2.5 for Heritage Property provisions.) If a demolition postponement's purpose is for consideration of relocating a building or other facility to another site, the criteria and procedure for consideration will be similar to that in Chapter 5, Action 3.7.1 (Property relocation procedures and design guidelines for properties to be relocated as part of discretionary project approvals).

ACTION 2.1.2: REDESIGNATION OF EXISTING LANDMARK, PRESERVATION DISTRICT AND STUDY LIST PROPERTIES

Redesignate existing landmarks and preservation districts under the new zoning text provisions. Review and, if appropriate, reclassify existing preservation study list properties as Heritage Properties.

The redesignation and reclassification process would be identified concurrently with Action 2.1.1's zoning text changes.

Most existing landmarks would be eligible for redesignation as Class 1 or Class 2 Landmarks (See Policy 2.2 for Landmark and Preservation District class definitions), but the initial redesignations could be as Class 3 to minimize property owner objections to the stronger regulations accompanying Class 1 and 2 designations.

Current regulations for existing preservation districts should probably be retained (without Policy 2.4's streamlined permit procedures and Policy 2.6's preservation incentives) for at least an interim period following the zoning text changes. This would allow time to redesignate each existing district as a Class 1 or Class 2 District.

POLICY 2.2: LANDMARK AND PRESERVATION DISTRICT ELIGIBILITY CRITERIA

Landmarks and Preservation Districts will be classified according to importance, with three classes of Landmarks and two classes of Preservation Districts. Properties eligible for each of these classifications will be as follows:

Class 1 Landmarks: Properties rated "A" under the Landmarks Preservation Advisory Board's "Guidelines for Determination of Landmark Eligibility" (the "Guidelines") and which are on or appear eligible for the National Register of Historic Places.

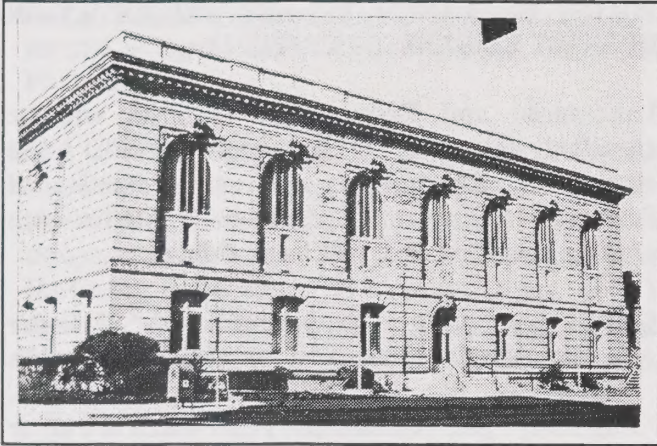
Class 2 Landmarks: Properties rated "B" under the Guidelines and which are on or appear eligible for the National Register of Historic Places; and properties rated "A" under the Guidelines and which are not on and do not appear eligible for the National Register of Historic Places.

Class 3 Landmarks: Properties rated "B" under the Guidelines and which are not on and do not appear eligible for the National Register of Historic Places.

Class 1 Preservation Districts: All Areas of Primary Importance identified by the Intensive Survey plus other areas which meet the "Guidelines for Determination of Preservation District Eligibility".

Class 2 Preservation Districts: All Areas of Secondary Importance identified by the Intensive Survey plus other areas which meet the "Guidelines for Determination for Preservation District Eligibility".

The methodology of the Intensive Survey will be used to determine whether properties appear eligible for the National Register of Historic Places.



Possible Class 1 Landmark: City of Oakland Administrative Annex (originally Main Library, later Charles S. Greene Branch Library) 659 14th Street. Oakland Landmark No. 49. On National Register of Historic Places. Possible "A" under Landmark Eligibility Guidelines.



Possible Class 3 Landmark: Saxtorph House, 1937 8th Avenue. Oakland Landmark No. 105. Possible "B" under Landmark Eligibility Guidelines. Does not appear individually eligible for National Register.



Possible Class 2 Landmarks: Left: California Cotton Mills 1917 Building, 1091 Calcot Place (near I-880 Freeway). Oakland Landmark No. 25. Appears eligible for National Register. Possible "B" under Landmark Eligibility Guidelines.



Right: Former Central Pacific Railroad 7th Street Depot (now Mi Rancho Tortilla Factory and Delicatessen), 464-468 7th Street. Oakland Landmark No. 66. Possible "A" under Landmark Eligibility Guidelines but does not appear individually eligible for the National Register due to alterations (top: original appearance, bottom: present appearance).



Possible Class 1 Preservation District: Old Oakland S-7 Zone. Area of Primary Importance identified by Intensive Survey. Eligible for National Register of Historic Places.



Possible Class 2 Preservation District: South Oakland Point (South Prescott) Neighborhood. Area of Secondary Importance identified by Intensive Survey.

Policy 2.2's hierarchical Landmark and Preservation District classifications enable preservation regulations to be structured in a corresponding hierarchy based on each property's importance -- the more important the property, the greater the weight given to preservation in balancing against other concerns.

Landmark Eligibility and Classification

The existing landmark eligibility criteria at Section 2002(p) of the Zoning Regulations (See Technical Report, Chapter 4, Section F.2.a) are very broad and open to interpretation. The Landmarks Preservation Advisory Board's "Guidelines for Determination of Landmark Eligibility" were partly intended to clarify the criteria and to improve the consistency of landmark eligibility determinations. However, the Guidelines have never been formally reviewed or adopted by the City Planning Commission or the City Council, both of which are required to act on landmark designation proposals. The Guidelines are in Appendix D and discussed in the Technical Report, Chapter 4, Section F.2.b.

Policy 2.2 establishes the Guidelines as the City's official Landmark eligibility determination method. Properties receiving an "A" or "B" Guidelines rating are eligible for Landmark designation.

Preservation District Eligibility and Classification

The Zoning Regulations' existing S-7 Preservation Combining Zone criteria (see Technical Report, Chapter 4, Section F.2.a) are similar to the existing landmark criteria and are subject to the same broad interpretation. Policy 2.2 clarifies the criteria by defining areas eligible for Preservation District designation according to either Intensive Survey results or new "Guidelines for Determination of Preservation District Eligibility" (see Action 2.2.1).

District designations based on the Guidelines rather than on the Intensive Survey will require determinations of the District's class, using Survey or other criteria yet to be defined.

ACTION 2.2.1: GUIDELINES FOR PRESERVATION DISTRICT ELIGIBILITY

Develop and adopt Guidelines for Determination of Preservation District Eligibility.

The Guidelines would supplement the existing "Guidelines for Determination of Landmark Eligibility". The District Guidelines would provide criteria for identifying eligible Preservation Districts in areas not yet covered by the Intensive Survey, and could be based on the Intensive Survey criteria for identifying Areas of Primary and Secondary Importance. (see Table 3-1 in Chapter 3). Actual determination of Preservation District eligibility will be by the Landmarks Board according to Article 4, Sections D and I of the Board's Rules of Procedure (see Technical Report, Appendix F).

POLICY 2.3: LANDMARK AND PRESERVATION DISTRICT DESIGNATION PROCEDURE

- (a) Landmarks and Preservation Districts will be treated as zones pursuant to the Oakland Zoning Regulations and will be designated in the same manner as rezonings. Designation of Landmarks and Preservation Districts may be initiated by the owner(s), the Landmarks Preservation Advisory Board or the City Planning Commission. The City Planning Commission will hold a public hearing and act after either (i) receiving the proposal from the Landmarks Preservation Advisory Board (if initiated by the Board); or (ii) receiving the Board's recommendation on the proposal (if initiated by the owner(s) or Planning Commission). The Planning Commission will forward all recommendations to the City Council which will make the final decision.
- (b) For purposes of preservation regulations, designation will apply only to property exteriors and to specially-designated interiors.
- (c) Property owner notification will be required before Landmarks Board, City Planning Commission or City Council action on Landmark or Preservation District designation proposals. Initial Landmarks Board notification will be by both certified and first class mail. If a property owner does not respond to the first notification attempt, the Board, before acting on the designation proposal, will make a second attempt for that owner in the same manner as the first attempt. However, a second attempt will not be required if the Board determines that an emergency exists. An emergency will exist whenever there is significant reason to believe that immediate demolition, removal or alteration is being considered for the property proposed for designation and that such demolition, removal or alteration would adversely affect the property's Character-Defining Elements.

- (d) If a property owner submits a written objection to a proposed Landmark designation, the designation will be approved only if the City Council determines either that (i) the objection is without substantial merit or (ii) the proposed Landmark is of exceptional significance. Property owner objections to Preservation District designations will be handled on a case by case basis.

Policy 2.3's designation procedure is the same as existing practice, but formalizes and expands owner notification requirements and clarifies the treatment of owner objections.

Treating Landmark and Preservation District designations as a form of zoning affirms Oakland's existing practice, but is somewhat unusual nationwide. Most communities provide such designations as part of an historic preservation ordinance separate from the zoning ordinance. Incorporating these designations within the zoning ordinance eliminates an additional regulatory document, improves coordination of historic preservation and other land use regulations and requires Landmarks and Preservation Districts to be shown on the City's zoning maps along with other zones. Members of the public are thereby routinely informed of whether a property is a Landmark or in a Preservation District when they check the zoning.

The Zoning Regulations now require property owner notification for all rezonings, including landmark or preservation district designations, at the time of City Planning Commission consideration. Notification of property owners and others is also required at the City Council level but only if they have commented previously. In addition, the Landmarks Board's Rules of Procedure provide a very detailed notification process at the time of Board consideration. (See summary of Board procedure for initiation of Landmark or S-7 Zone designation in Appendix E).

Policy 2.3 changes existing notification procedures by requiring owner notification in all cases at the time of City Council consideration and by formalizing the Board's existing notification process.

The Zoning Regulations and the Board's procedures do not address owner objections, but it is expected that the combination of enhanced preservation incentives with streamlined permit procedures (See Policies 2.4, 2.5 and 2.6 and related tables and discussion) will significantly reduce their frequency. Policy 2.3 clarifies the City's treatment of any remaining owner objections.

Responding to owner objections to Preservation District designations on a case by case basis affirms existing practice.

ACTION 2.3.1: CRITERIA FOR DESIGNATING LANDMARKS OVER OWNER OBJECTIONS

Develop and adopt "Criteria for Designating Landmarks Over Owner Objections".

The Criteria will define objections which are "without substantial merit", and properties of "exceptional significance" as these terms are used in Policy 2.3.

POLICY 2.4: LANDMARK AND PRESERVATION DISTRICT REGULATIONS

- (a) **Demolitions and removals involving Landmarks or Preservation Districts will generally not be permitted or be subject to postponement unless certain findings are made. Demolition or removal of more important Landmarks and of most Preservation District properties will normally not be permitted without the required findings, while demolition or removal of less important Landmarks will be subject only to postponement.**
 - (b) **Alterations or New Construction involving Landmarks or Preservation Districts will normally be approved if they are found to meet the Secretary of the Interior's Standards for the Treatment of Historic Properties or if certain other findings are made.**
 - (c) **Findings for approval of demolitions, removals, alterations or New Construction involving Landmarks or Preservation Districts will seek to balance preservation of these properties with other concerns.**
 - (d) **Specific regulatory provisions are set forth in the tables entitled "Demolition and Removal Regulations for Landmarks and Preservation Districts" and "Alteration and New Construction Regulations for Landmarks and Preservation Districts".**
-

The tables referred to in Policy 2.4 are Tables 4-1 and 4-2, shown on the following pages. The Secretary of the Interior's Standards for the Treatment of Historic Properties are in Table 4-3 and are discussed in the Technical Report, Chapter 4, Section A.5.

Following is a discussion of the major provisions of Policy 2.4 and Tables 4-1 and 4-2.

Demolition and Removal Regulations

The existing landmark and preservation district regulations only delay demolition or removal for up to 240 days. Table 4-1 prohibits demolition or removal of Class 1 and Class 2 Landmarks, Class 1 Preservation District properties, and contributing or potentially contributing properties in Class 2 Districts unless at least one of several specific findings are made. However, delay of demolition or removal is retained for Class 3 Landmarks, while demolition or removal of noncontributing Class 2 Preservation District properties (now subject to delay) is normally permitted outright (see also "Regulation Streamlining" below).

Table 4-1 has two findings either of which permit demolition or removal of any Landmark or Preservation District property and two additional findings for lower ranking properties.

Secretary of the Interior's Standards

The Secretary of the Interior's Standards for the Treatment of Historic Properties consist of Standards for "Preservation", "Rehabilitation", "Restoration", and "Reconstruction". The Standards underwent major revision in 1990-92 and were previously called "The Secretary of the Interior's Standards for Historic Preservation Projects".

By using the Standards as set forth in Policy 2.4(b) and Table 4.2, Oakland will join many other communities nationwide. Conformity with the Standards is required for historic building rehabilitation projects seeking the 20 percent Federal Investment Tax Credit and is strongly encouraged for projects subject to Section 106 of the National Historic Preservation Act (see Technical Report, Chapter 4, Sections A.2 and A.4). Oakland's use of the Standards will simplify the overall City, State, and Federal approval process for Tax Credit and Section 106 projects by providing one set of standards.

**TABLE 4-1: DEMOLITION AND REMOVAL REGULATIONS
FOR LANDMARKS AND PRESERVATION DISTRICTS**

(Incorporated by reference into Policy 2.4)

GENERAL NOTE: Demolition or removal of Landmark and Preservation District properties is permitted in all cases and may proceed at once without the special approvals normally required by this table if based on a written determination by the Building Official, Housing Official, or their respective appeals boards that the property constitutes an immediate hazard to public safety and that the demolition or removal is necessary to abate the hazard.

If a property is both a Landmark and located in a Preservation District and is therefore subject to both Landmark and Preservation District regulations, the stricter regulations prevail.

1. TYPES OF REGULATIONS

(a) Class 1 Landmarks: Demolition or removal is permitted only if either:

- (i) The applicant demonstrates that the existing property has no reasonable use or cannot generate a reasonable economic return and that the development replacing it will provide such use or generate such return; or
- (ii) The applicant demonstrates that the property constitutes a hazard to public safety and is economically infeasible to rehabilitate on its present site.

See Notes 1 and 2.

(b) Class 2 Landmarks: Demolition or removal is permitted only if Finding (a) or (b) above for Class 1 Landmarks is made or if either:

- (iii) The design quality of the replacement facility is at least equal to that of the existing facility as determined by the Design Guidelines for Landmarks and Preservation Districts and is compatible with the character of the neighborhood as determined by the Guidelines; or
- (iv) Demolition or removal is necessary to allow the development of a project having public benefits outweighing the benefit of retaining the Landmark.

See Notes 1 and 2.

(c) Class 3 Landmarks: Demolition or removal is postponed for up to 240 days consisting of two successive 120-day postponement periods unless one of the four findings permitting demolition or removal of Class 2 Landmarks can be made.

During the postponement period the applicant and the City will investigate all reasonable means to preserve the property, including, but not necessarily limited to, moving the property to another site (for demolitions only) and selling the property to a new owner who will preserve it. The City will inform the owner of all preservation incentives and alternatives. The second 120 day postponement period applies only if the Planning Director determines that substantial progress is being made to preserve the property.

See Note 2.

(d) Class 1 Preservation Districts:

(i) Contributing and potentially contributing properties:

Demolition or removal is permitted only if one of the two findings permitting demolition or removal of Class 1 Landmarks can be made.

(ii) Noncontributing properties:

Same as for contributing and potentially contributing properties but demolition or removal is also permitted if either:

- (A) The existing facility is seriously deteriorated or a blighting influence; or
- (B) The design quality of the replacement facility is at least equal to that of the existing facility as determined by the Design Guidelines for Landmarks and Preservation Districts (Action 2.1.5) and is compatible with the character of the Preservation District as determined by the Guidelines.

(Continued on next page)

**TABLE 4-1: DEMOLITION AND REMOVAL REGULATIONS
FOR LANDMARKS AND PRESERVATION DISTRICTS (continued)**

(e) Class 2 Preservation Districts:

(i) Contributing and potentially contributing properties:

Same as for noncontributing properties in Class 1 Preservation Districts.

(ii) Noncontributing properties:

Demolition or removal is permitted in all cases, subject to the requirements of other City ordinances, but City approval will be required for the design of any replacement facility pursuant to Table 4-2, Item (1)(d).

2. DECISION MAKING PROCEDURE

Decision is by the Planning Director after receiving a recommendation from the Landmarks Preservation Advisory Board. The Director's decision is appealable by anyone to the City Planning Commission. The Commission's decision is appealable to the City Council.

NOTE 1: When demolition of a Class 1 or Class 2 Landmark is **approved**, demolition in all cases will be postponed for a sufficient period of time, but not to exceed 240 days, to investigate sale or moving of the property unless either:

- (i) The applicant has demonstrated that (A) the property cannot be sold in the open market for a price sufficient to generate a reasonable economic return on the owner's investment in the property, and (B) the property is economically infeasible to move; or
- (ii) The applicant has demonstrated that postponement would result in excessive economic hardship to the owner; or
- (iii) The applicant has demonstrated that the property constitutes a hazard to public safety and is economically infeasible to rehabilitate either on its present site or at any relocation site.

Finding (iii) will apply only if the initial demolition approval is based at least in part on the similar Finding (b) for demolition or removal of Class 1 or Class 2 Landmarks (see Items (1) and (2) of the table). The only difference between the two findings is that Finding (iii) requires the applicant to demonstrate the infeasibility of rehabilitation at any relocation site, (i.e. that the property is economically infeasible to move) while Finding (b) does not.

NOTE 2: When demolition of any Class 1, Class 2, or Class 3 Landmark is **approved**, the City, when appropriate, will require:

- (i) That the property be documented and a salvage program instituted; and
- (ii) That, for Class 3 Landmarks, the applicant makes a reasonable effort to sell or move the property.

**TABLE 4-2: ALTERATION AND NEW CONSTRUCTION REGULATIONS
FOR LANDMARKS AND PRESERVATION DISTRICTS**

(Incorporated by reference into Policy 2.4)

GENERAL NOTE: Alteration of Landmark and Preservation District properties is permitted in all cases without the special approvals normally required by this table and may proceed at once if based on a written determination by the Building Official, Housing Official, or their respective appeals boards that the property constitutes an immediate hazard to public safety and that the alteration is necessary to abate that hazard.

If a property is both a Landmark and located in a Preservation District and is therefore subject to both Landmark and Preservation District regulations, the stricter regulations prevail.

Controls on alterations apply only to exteriors and to specially-designated interiors.

1. TYPES OF REGULATIONS

(a) Class 1 and Class 2 Landmarks:

Major and Minor Alterations¹ and New Construction² are permitted only if either:

- (i) The proposal conforms with the Secretary of the Interior's Standards for the Treatment of Historic Properties; or
- (ii) The Secretary of the Interior's Standards do not legally apply to the proposal, and the proposal will not adversely affect the character of the property as determined by the Design Guidelines for Landmarks and Preservation Districts; or
- (iii) The applicant demonstrates that a special circumstance exists that overrides strict application of the Secretary of the Interior's Standards as determined by said Guidelines; or
- (iv) The applicant demonstrates that the property has no reasonable use or cannot generate a reasonable economic return in the absence of the proposal and that no alternatives are available to obtain such use or return.

(b) Class 3 Landmarks:

Minor Alterations¹ are permitted in all cases, subject to the requirements of other City ordinances. Major Alterations¹ and New Construction² are permitted only if either:

- (i) One of the four findings permitting alterations or New Construction to Class 1 or Class 2 Landmarks can be made (see Item (a) above); or
- (ii) The proposal is necessary to allow the development of a project having public benefits outweighing the public benefit of avoiding adverse effects to the character of the existing property; or
- (iii) The proposal will result in an overall design that is at least equal in quality to the existing design and is compatible with the character of the neighborhood.

(c) Class 1 Preservation Districts:

(i) Contributing and potentially contributing properties:

Same as for Class 1 and Class 2 Landmarks.

(ii) Noncontributing properties:

Same as for Class 1 and Class 2 Landmarks but also if the following additional two-part finding is made:

- (A) The proposal will result in an overall design that is at least equal in quality to the existing design as determined by the Design Guidelines for Landmarks and Preservation Districts; and
- (B) is compatible with the character of the District as determined by the Guidelines.

This finding does not apply to new construction on vacant parcels.

(d) Class 2 Preservation Districts -- all properties:

Same as for noncontributing properties in Class 1 Preservation Districts.

**TABLE 4-2: ALTERATION AND NEW CONSTRUCTION REGULATIONS
FOR LANDMARKS AND PRESERVATION DISTRICTS (continued)**

2. DECISION MAKING PROCEDURE

Decision is by the Planning Director after receiving a recommendation from the Landmarks Preservation Advisory Board except for: (a) cases limited to **Minor Alterations**¹, and (b) cases involving **noncontributing properties** in Preservation Districts and limited to construction of small accessory facilities or any alteration or addition other than a substantial front addition. However, these cases will be referred to the Board for recommendation at either the Planning Director's option or if such referral is requested by any one Board member. All substantial freestanding new construction and substantial front additions will be referred to the Board.

The Planning Director's decision is appealable by anyone to the City Planning Commission. The Commission's decision is appealable to the City Council.

NOTES:

1. **"Minor Alterations"** consist of the following: (i) frequently changing elements such as signs, awnings, or paint colors which do not have any special historic, architectural, or other interest or do not obscure any existing Character-Defining Element; (ii) nonhistoric site features such as nonhistoric fences and landscaping; and (iii) alterations and New Construction which are not part of a principal facade, not visible from street(s) fronting the property or from other public areas, and not part of a specially-designated interior. All other alterations are **"Major Alterations."**
2. **"New Construction"** consists of additions to existing facilities and construction or establishment of any new facility on any Landmark or Preservation District vacant or developed parcel.

**TABLE 4-3: SECRETARY OF THE INTERIOR'S STANDARDS
FOR THE TREATMENT OF HISTORIC PROPERTIES**

The Secretary of the Interior's Standards for the Treatment of Historic Properties are in four parts: Standards for Preservation, Standards for Rehabilitation, Standards for Restoration and Standards for Reconstruction.

STANDARDS FOR PRESERVATION

Preservation is defined as the act or process of applying measures necessary to sustain the existing form, integrity, materials of a historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

1. A property shall be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationships. Where a treatment and use have not been identified, a property shall be protected and, if necessary, stabilized until additional work may be undertaken.
2. The historic character of a property shall be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate, and conserve existing historic materials and features shall be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
4. Changes to property that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. The existing condition of historic features shall be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material shall match the old in composition, design, color, and texture.
7. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
8. Archeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.

STANDARDS FOR REHABILITATION

Rehabilitation is defined as the act or process of making possible an efficient compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

1. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, shall not be undertaken.
4. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

(Continued on next page)

**TABLE 4-3: SECRETARY OF THE INTERIOR'S STANDARDS
FOR THE TREATMENT OF HISTORIC PROPERTIES (continued)**

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
8. Archeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STANDARDS FOR RESTORATION

Restoration is defined as the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

1. A property shall be used as it was historically or be given a new use which interprets the property and its restoration period.
2. Materials and features from the restoration period shall be retained and preserved. The removal of materials or alteration of features, spaces, and spatial relationships that characterize the period shall not be undertaken.
3. Each property shall be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate and conserve materials and features from the restoration period shall be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
4. Materials, features, spaces, and finishes that characterize other historical periods shall be documented prior to their alteration or removal.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the restoration period shall be preserved.
6. Deteriorated features from the restoration period shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, where possible, materials.
7. Replacement of missing features from the restoration period shall be substantiated by documentary and physical evidence. A false sense of history shall not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.
8. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
9. Archeological resources affected by a project shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
10. Designs that were never executed historically shall not be constructed.

(Continued on next page)

**TABLE 4-3: SECRETARY OF THE INTERIOR'S STANDARDS
FOR THE TREATMENT OF HISTORIC PROPERTIES (continued)**

STANDARDS FOR RECONSTRUCTION

Reconstruction is defined as the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

1. Reconstruction shall be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture, and such reconstruction is essential to the public understanding of property.
2. Reconstruction of a landscape, building, structure, or object in its historic location shall be preceded by a thorough archeological investigation to identify and evaluate those features and artifacts which are essential to an accurate reconstruction. If such resources must be disturbed, mitigation measures shall be undertaken.
3. Reconstruction shall include measures to preserve any remaining historic materials, features, and spatial relationships.
4. Reconstruction shall be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property shall re-create the appearance of the non-surviving historic property in materials, design, color, and texture.
5. A reconstruction shall be clearly identified as a contemporary recreation.
6. Designs that were never executed historically shall not be constructed.

The City believes that conformity with the Standards is not the only way to avoid adverse effects on Landmarks and Preservation Districts. In the past, the City has consistently approved alterations to noncharacter-defining elements or additions which match the style of the existing building but violate the Standards (e.g. Rehabilitation Standard 3) because the design either cannot be documented as an actual historical design or makes minor modifications to the historical design for functional reasons. The Standards consider such changes to create false historical appearances, but it may be appropriate for the City to continue this practice if the work is well done. Finding (ii) of Table 4-2, Item 1(a) therefore does not require conformity with the Standards if they do not legally apply to the project (e.g. the project does not require tax credit or Section 106 reviews) and the project will still not adversely affect the Landmark or Preservation District.

Conformity and nonconformity with Secretary of the Interior's Standards:
Top: Reconstructed storefronts of Snyder Block (LaSalle Building), 491-97 9th Street. Determined by the National Park Service to not conform with the Secretary of the Interior's Standards because of new historicist detailing that cannot be documented as having previously existed on the building, thus creating a false historical appearance. Bottom: Reconstructed storefronts of Wilcox Block Annex (Gladstone Building), 471-75 9th Street. Determined to conform with the Standards; similar to Snyder Block, but without the historicist detailing.

Both designs were approved by the City of Oakland in the 1980s and would also probably be approved under Table 4-2's findings.



In districts, similar violations of the Standards will occur for new buildings designed in one of the district's historical styles and for some moved-on buildings, even when the building is stylistically consistent with the district.



Moved buildings in districts not conforming with Secretary of the Interior's Standards. These moved buildings in Preservation Park were determined by the National Park Service to not conform with the Standards because they had different compass orientations than at their original sites and because the street layout, lamp posts and other site improvements, although partly inspired by late 19th Century designs, were not sufficiently consistent with those designs.

Action 2.4.1's Design Guidelines will identify types of changes which may violate the Standards but normally do not result in adverse effects.

Regulation Streamlining

The streamlined regulations are set forth in Tables 4-1 and 4-2 and should help make Landmark and Preservation District designations more acceptable to property owners.

The streamlined regulations consist of the following:

- **Elimination of mandatory Landmarks Board review of "Minor Alterations" to Landmarks and contributing Preservation District properties and of most alterations to noncontributing Preservation District properties (Table 4-2, Item 2).**

These types of alterations can still be referred to the Board for recommendation at either the Planning Director's option or the request of any one Boardmember. The Board will always be notified when applications for such alterations are filed so that each Boardmember may have the opportunity to request review.

Eliminating automatic Landmarks Board review for these alterations will expedite processing and save applicants the effort of making presentations at Board meetings. The Board will retain its ability to appeal the Planning Director's decisions on all of these cases to the City Planning Commission and City Council. The Board will be promptly notified of the decision so that it will have the opportunity to appeal.

- **Elimination of design review for "Minor Alterations" to Class 3 Landmarks (Table 4-2, Item 1[b]).**

This change will often eliminate the waiting time for City permits, since building permits for Minor Alterations are usually issued immediately or, as with repainting proposals, are not required.

- **Elimination of design review for demolition or removal of noncontributing properties in Class 2 Preservation Districts (Table 4-1, Item 1[e][ii]).**

Although this could adversely affect Class 2 Districts over the short term by allowing removal of noncontributing, but compatible, properties, the replacement facilities will require design review and be required to be compatible with the District.

ACTION 2.4.1: LANDMARK AND PRESERVATION DISTRICT DESIGN GUIDELINES

Develop and adopt design guidelines for Landmarks and Preservation Districts.

The guidelines will be the basis for approving or denying alterations and New Construction permits involving Landmarks and Preservation Districts; they will be based on the Secretary of the Interior's Standards for the Treatment of Historic Properties.

The guidelines will also address three issues referenced in the findings of Tables 4-1 and 4-2:

- (a) what types of alterations or New Construction not conforming with the Secretary's Standards will not adversely affect a Landmark or Preservation District.
- (b) what is "equal" design quality; and
- (c) what is a "special circumstance that overrides strict application of the Standards".

The guidelines will be adopted by the Landmarks Board and City Planning Commission. They will include pictorial examples of design approaches which should be either encouraged or avoided. The guidelines will be similar to, but more stringent than the new "Design Guidelines for Discretionary Permit Approvals" in Chapter 5, Action 3.5.1.

POLICY 2.5: HERITAGE PROPERTIES

- (a) Properties which definitively warrant preservation but which are not Landmarks or Preservation Districts will be eligible as Heritage Properties and may be so designated by either the Landmarks Preservation Advisory Board or the City Planning Commission. Heritage Properties may also be designated by the Director of City Planning, subject to confirmation within 45 days by either the Board or Commission.
 - (b) Owners of properties being considered for Heritage Property designations will receive ample opportunity to comment on designation proposals.
 - (c) Demolition, removal or Specified Major Alterations of Heritage Properties may normally be postponed for up to 120 days.
 - (d) Heritage Properties shall constitute an officially adopted City register or inventory of historically or architecturally significant sites or places as defined by the State Historical Building Code.
 - (e) The Heritage Property eligibility criteria, designation procedure and preservation regulations are set forth in the tables entitled "Heritage Property Eligibility Criteria and Designation Procedure" and "Heritage Property Regulations".
-

The tables referred to in Policy 2.5 are Tables 4-4 and 4-5.

**TABLE 4-4: HERITAGE PROPERTY ELIGIBILITY CRITERIA
AND DESIGNATION PROCEDURE**

(Incorporated by reference in Policy 2.5)

1. HERITAGE PROPERTY ELIGIBILITY CRITERIA

A property is eligible for Heritage Property designation if it either:

- (a) has received an existing or contingency rating¹ of "A" (Highest Importance), "B" (Major Importance), or "C" (Secondary Importance) according to the methodology of the Intensive Survey;
- (b) has received an existing or contingency rating of "A" or "B" from the Reconnaissance Survey; or
- (c) contributes or potentially contributes¹ to any area potentially eligible for Preservation District designation (see Policy 2.2).

2. HERITAGE PROPERTY DESIGNATION PROCEDURE

- (a) Heritage Properties may be designated by either the Landmarks Preservation Advisory Board or City Planning Commission after owner notification and acceptance. Full disclosure of Heritage Property preservation incentives and regulations are provided as part of owner notification. Owners have 60 days to respond to designation proposals. If the owner objects to the designation or does not respond within 60 days, the Heritage Property can be designated by the Board or Commission for a period of time², during which the Heritage Property can be either designated permanently or dedesignated. Owners are notified of such designations and advised of the appeal process set forth in (c) below.
- (b) Permanent Heritage Property designation over owner objections can occur only if the City finds that a special circumstance exists justifying the designation over owner objections.
- (c) Landmarks Board actions on Heritage Property designations are appealable by anyone to the City Planning Commission. Commission actions are appealable to the City Council.
- (d) Heritage Properties can also be provisionally designated by the Planning Director, but the provisional designation must be confirmed within 45 days by either the Landmarks Board or the City Planning Commission according to the procedure in (a)-(c) above. Provisional designations by the Planning Director are effective immediately and are followed within five days by notification to owners including notification of the date of Landmarks Board or City Planning Commission consideration. Owner notification must be at least ten days prior to Board or Commission consideration.
- (e) Heritage Properties may be dedesignated at any time by the Landmarks Board at the property owner's request or at the initiative of the Board. All dedesignations must be based on documentation that the property does not meet the Heritage Property eligibility criteria, unless the designation was to be only for a period of time pursuant to (a) above. The Board's decision is appealable by anyone to the City Planning Commission. The Commission's decision is appealable to the City Council.

NOTES:

- 1. The term "existing or contingency rating" means the two-component rating assigned by the Intensive and Reconnaissance Surveys to properties having conditions or circumstances which could change significantly in the future. The first component ("existing rating") describes the property under present circumstances. The second component ("contingency rating") describes the property under possible future circumstances. See Chapter 4, Section F.5.a.i of the Historic Preservation Element Technical Report for further explanation.

"Existing and potential contributors" to areas potentially eligible for Preservation District designation are defined similarly.

- 2. The specific time period in these cases will be determined as part of the Zoning Regulations amendments implementing this table's provisions (See Historic Preservation Element Action 2.2.1).

TABLE 4-5: HERITAGE PROPERTY REGULATIONS

(Incorporated by reference in Policy 2.5)

GENERAL NOTE: Demolitions and alterations to Heritage Properties are permitted in all cases without the postponements normally provided by this table and may proceed at once if based on a written determination by the Building Official, Housing Official, or their respective appeals boards that the property constitutes an immediate hazard to public safety and that the demolition or alteration is necessary to remove the hazard.

1. DEMOLITIONS AND REMOVALS

Demolition and removals of Heritage Properties may be postponed for up to 60 days by the Planning Director, with a possible 60-day extension.

During the postponement period, the City will:

- (a) consider designating the property a Landmark or including the property in a Preservation District; and/or
- (b) investigate means to preserve the property, including moving the property to another site (except for properties already proposed for relocation and contributing to areas eligible as Preservation Districts) and selling the property to a new owner who will preserve it.

The possible 60-day extension applies only if the Planning Director determines that substantial progress is being made to preserve the property or if Landmark or Preservation District designation has been initiated during the first 60-day period.

2. SPECIFIED MAJOR ALTERATIONS

Specified Major Alterations to Heritage Properties not requiring any Design Review approvals (including Special Residential Design Review approvals or exemptions) may be postponed for up to 60 days by the Planning Director with a possible 60-day extension in the same manner as for demolitions or removals. The postponement and possible extension will be subject to the same conditions as for demolitions and removals. The City will take the same actions during the postponement period as for demolitions and removals.

Specified Major Alterations include but are not necessarily limited to:

- (i) Major changes to surface materials, such as covering or replacing one kind of siding with another;
- (ii) Removal of structural elements (such as bay windows or porches) or architectural detailing;
- (iii) Changes to the shapes and locations of windows or other openings; or
- (iv) Structural additions.

The Heritage Property designation replaces the preservation study list. Major differences between Heritage Properties and the study list are:

Purpose

The Zoning Regulations state that the study list consists of facilities "under serious study" by the City Planning Commission, Landmarks Board or Director of City Planning "for possible landmark designation... or for other appropriate [preservation] action...". Issuance of a demolition permit for a study list property may be postponed for up to 60 days to allow time to explore preservation alternatives, such as: landmark or preservation district designation; encouraging the applicant to reconsider the demolition proposal; arranging the sale of the property to a new owner who will preserve it; City acquisition using eminent domain if necessary (see Policy 3.4); or, where applicable and appropriate, moving the facility to another site.

The purpose of the Heritage Property designation is similar, but more explicit: (a) a formal declaration by the City that a property has some historical, architectural, or aesthetic value and definitively warrants at least some preservation effort and (b) provision of a minimal level of regulatory protection. This reflects what is now frequent but not formally adopted study list practice.

Augmented Development Regulations

The Heritage Property designation allows the study list's 60-day demolition postponement to be extended for an additional 60 days (resulting in a potential postponement period of up to 120 days) and expands the postponement to removals and certain large-scale alterations, called Specified Major Alterations. Examples of Specified Major Alterations are shown in Figure 4-1 on the next page.

The additional 60 days will allow completion of Landmark or Preservation District designations without requiring the Landmarks Board (which normally meets only once a month) to hold a special meeting. However, if the City determines that a Heritage Property does not warrant any further preservation action, the total postponement period could be very brief.

Applying the postponement to Specified Major Alterations recognizes that such alterations can often impact a property's Character-Defining Elements as adversely as demolition.

More Limited Eligibility Criteria

The study list has no specific restrictions on eligibility; a property must only be under serious study for preservation action, as discussed under "Purpose" above. However, Heritage Properties are limited to properties which could be eligible for Landmark or Preservation District designation.

FIGURE 4-1: HERITAGE PROPERTY REGULATIONS--SPECIFIED MAJOR ALTERATIONS.

Shown below are examples of the four types of Specified Major Alterations listed in Table 4-5:

- (i) Major changes to surface materials, such as covering or replacing one kind of siding with another:



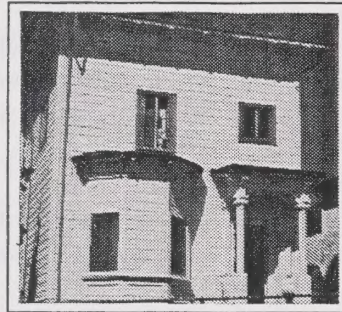
Bowles Building, 1713-21 Broadway/1712-20 Telegraph Avenue. Right side with original Art Deco terra cotta upper floor. Left side covered with stucco. Window shapes also changed.

- (ii) Removal of structural elements (such as bay windows or porches) or architectural detailing:



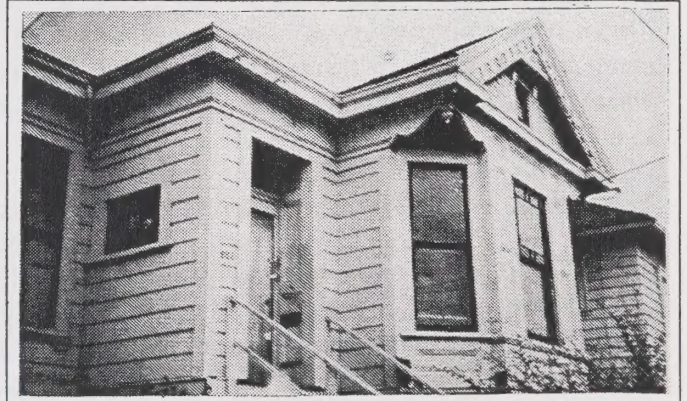
Former Oakland Point Firehouse, 1681 8th Street. Oakland Landmark No. 37. Left: As originally built. Right: Present appearance with cornice, parapet and other detailing removed. Doors also replaced.

- (iii) Changes to shapes and locations of windows or other openings:



Italianate Victorian house with original tall wood double-hung windows either infilled entirely or replaced with a combination of smaller aluminum sliding windows and infill.

- (iv) Structural additions:



Top: before. Bottom: after. Major two story addition at left of original building. Original siding also covered over, windows changed and detailing removed.

Under the Heritage Property regulations, Specified Major Alterations can be postponed for up to 60 days, with a possible 60 day extension. As indicated in Table 4-5, the Specified Major Alterations identified in the Heritage Property regulations may not be limited to the above four types.

Changes to Designation Process

A property can now be added to the study list by the Landmarks Board, City Planning Commission or Planning Director with no legally required notification to the owner; however such notification is, in practice, provided by the City after the property is listed.

Heritage Properties can be permanently designated only by the Board or Commission, require owner notification prior to Board or Commission consideration, and have a more formal designation and appeal procedure. Policy 2.5(a)'s provision allowing the Director of City Planning to provisionally designate a Heritage Property subject to Board or Commission confirmation is mostly intended for emergency situations, such as where an application for demolition, removal or Specified Major Alterations has already been filed, but the permit has not been issued.

The "special circumstances" referred to in Table 4-4, Part (2)(b) justifying permanent Heritage Property designations over owner objections will be identified as part of the Zoning Regulations amendments implementing the Element's preservation regulations and incentives (Action 2.1.1).

Official Register or Inventory as Defined by the State Historical Building Code

Considering Heritage Properties to be such a register or inventory makes them eligible for the State Historical Building Code (See Action 2.6.10 and Technical Report, Chapter 4, Section D.3). The City has not generally considered the study list to constitute such a register or inventory.

POLICY 2.6: PRESERVATION INCENTIVES

(a) Landmarks and all properties contributing or potentially contributing to a Preservation District will be eligible for the following preservation incentives:

(i) Mills Act contracts for reducing property tax assessments;

(ii) State Historical Building Code and other related alternative codes for older buildings such as the Uniform Code for Building Conservation (UCBC), to provide more flexible construction standards;

(iii) conservation easements to reduce property tax assessments and, for National Register properties, to obtain income tax deductions;

(iv) broader range of permitted or conditionally-permitted uses;

(v) transferable development rights;

(vi) priority for economic development and community development project assistance and eligibility for possible historic preservation grants for low-income housing;

(vii) eligibility for acquisition, rehabilitation, and other development assistance from a possible historic preservation revolving fund or possible Marks historical rehabilitation bond program; and

(viii) fee waivers or reductions for City permits for demolition, new construction, or alterations.

(b) Compatible new development on vacant noncontributing Preservation District parcels will be eligible for Incentives (iv), (v), (vi) and (vii). Heritage Properties will be eligible for incentives (ii), (vi) and (vii).¹

The incentives are discussed in the text accompanying Actions 2.6.1 - 2.6.12.

The incentives are expected to encourage greater property owner acceptance of Historic Property designations and of the accompanying development regulations. All of the incentives offer some tangible economic benefit to owners. For some incentives, such as transferable development rights and Mills Act contracts, the potential benefit can be very substantial.

The incentives are also expected to encourage more owners to actively engage in the preservation of their properties and to request Landmark or Preservation District designation in order to obtain the incentives.

1. Note: Policy 3.3 requires that in order for a Heritage Property to receive Incentives (vi) and (viii), the Heritage Property in exchange for these incentives must either be designated as a Landmark, included in a Preservation District, or be subject to protective covenants with provisions similar to those for Landmarks and Preservation Districts except for projects which are small scale or do not change exterior appearance.

ACTION 2.6.1: MILLS ACT CONTRACTS

Adopt a Mills Act contract program to reduce property tax assessments for Landmarks and Preservation Districts .

The Mills Act allows reductions of property tax assessments for historic properties if the owner signs a contract with the local government agreeing to preserve the property, maintain its historic characteristics, and, if necessary, restore the property. Properties eligible for Mills Act contracts are those listed on the National Register of Historic Places, located in a "registered historic district" (see Technical Report, Chapter 4, Section A.4) or listed in any city or county "official register of historical or architecturally significant sites, places, or landmarks." The contracts are for ten-year periods with automatic annual renewals unless either party chooses not to renew.

For contracted properties, property tax assessments are calculated on capitalization of income based on the property's present use, rather than possible higher and better uses and are frozen during the contract period. The effect of the contracts, therefore, is often to reduce property taxes in return for preventing a property from being developed to a higher intensity. Since the frozen property tax assessment remains in place if the property is sold, the buyer avoids any increases in property tax assessments that would normally be triggered by the sale.

A Mills Act program will require both a procedure for establishing contracts and a standard contract format. Existing programs in other communities could be used as models.

See Technical Report, Chapter 4, Section D.4 for further discussion of Mills Act contracts.

ACTION 2.6.2: CONSERVATION EASEMENTS

Establish procedures for City acceptance of conservation easements for Landmarks and Preservation Districts.

Conservation easements (also called preservation easements or facade easements) can, like Mills Act contracts, provide property tax reductions and, for National Register properties, income tax deductions. The easement can be granted to a government agency or a nonprofit historic preservation organization and allows the grantee to require the owner to preserve the property in perpetuity.

The City's easement acceptance procedures should include a standard format for easement recordation and criteria for determining the portions of the property to be included in the easement.

A list of City easements should be available at the permit counters. The easements should also be shown on the Zoning Maps and included in the proposed citywide land-use database (see Action 5.1.7). See Technical Report, Chapter 4, Section A.6 for further discussion of conservation easements.

ACTION 2.6.3: TRANSFERABLE DEVELOPMENT RIGHTS

Amend the Zoning Regulations to provide transferable development rights to Landmarks and Preservation Districts and to establish areas where properties are eligible to receive transferred development rights. Investigate establishing a marketing mechanism for transferable development rights.

Transferable development rights (TDRs) are provided to property owners under zoning or other development laws and allow owners to sell or transfer the unused development potential of their parcel to other parcels, increasing the development potential of the receiving parcel above that which would otherwise be allowed. TDRs are usually defined as the difference between the potential floor area allowed on a parcel under the existing zoning and the floor area of the existing improvements. However, TDRs can also be used to transfer additional uses to parcels where, without TDRs, the uses would not be permitted.

In Oakland, TDRs would generally be of greatest value to low-density buildings in high-density areas experiencing major growth pressure. TDRs may also be valuable to large, campus-like properties with large amounts of potentially developable open space.

TDRs have been incorporated into numerous preservation ordinances nationwide, but few TDRs have actually been sold. A major reason appears to be the lack of central TDR marketplaces where developers interested in building projects within TDR receiving zones can go to buy TDRs. A TDR program which has achieved some success is operated by the California Coastal Conservancy and provides such a marketplace in the form of a land trust.

Following is an outline of a possible historic preservation TDR program in Oakland. The program is designed to overcome the marketing problems of most other TDR programs.

- a) Issue TDRs to Landmarks and properties contributing or potentially contributing to Preservation Districts. Issue the TDRs at the time of Landmark or District designation. Also issue TDRs at the time of approval of New Construction on vacant noncontributing Preservation District parcels, if the construction is compatible with the District as determined by Policy 2.4, (Table 4-2, Item 1[c][ii]). The TDRs would equal the amount of floor area allowed on the Landmark or Preservation District parcel which exceeds the existing or (for unbuilt, but approved New Construction projects) approved floor area.
- b) Identify areas capable of absorbing density increases through TDR transfers. Designate these areas as TDR receiving zones. Within these zones, allow density increases with a Conditional Use Permit based on acquired TDRs.
- c) Establish a Conditional Use Permit procedure for granting density increases and possibly a broader range of uses in TDR receiving zones using TDRs.
- d) Establish a land trust to serve as a TDR marketplace. Investigate using nonprofit organizations such as the Trust for Public Land as the land trust.

The above program is based on the recommendations made in "A Preservation Strategy for Downtown San Francisco", prepared by John M. Sanger Associates for the Foundation for San Francisco's Architectural Heritage in November, 1982. These recommendations were the basis for the TDR provisions in San Francisco's Downtown Plan.

See the Technical Report's discussion of this action for additional information on TDRs.

ACTION 2.6.4: LIMIT EXISTING CONDITIONALLY-PERMITTED ADDITIONAL USES FOR HISTORIC PROPERTIES TO LANDMARKS AND PRESERVATION DISTRICTS

Amend the Zoning Regulations to limit Consultative and Financial Service Commercial Activities now conditionally permitted in the R-70, R-80, and R-90 Zones for "architecturally or culturally significant" buildings to Landmarks, properties contributing or potentially contributing to Preservation Districts, and compatible New Construction on vacant noncontributing Preservation District parcels.

Sections 3811, 3861(b), and 3911 of the Zoning Regulations conditionally permit Consultative and Financial Service Commercial Activities (e.g. financial, insurance and real estate brokerage services and professional consultants) in the R-70, R-80, and R-90 Zones if, among other things, the proposal preserves an existing "architecturally or culturally significant" building or "substantially contributes to the livability of abutting properties and the surrounding neighborhood".

Action 2.6.4 clarifies the phrase "architecturally or culturally significant" buildings to mean Landmarks and certain Preservation District properties. This will increase the importance of obtaining Landmark or Preservation District designation for developers wishing to introduce Consultative and Financial Service Commercial Activities in the R-70, R-80, or R-90 Zones and encourage compatible new development on vacant noncontributing parcels in Preservation Districts.

ACTION 2.6.5: ADDITIONAL CONDITIONALLY-PERMITTED USES FOR LANDMARKS AND PRESERVATION DISTRICTS

Investigate additional zoning amendments to broaden the range of conditionally-permitted activities for Landmarks and Preservation Districts in certain zones.

The new conditionally permitted activities would supplement the conditionally permitted Consultative and Financial Service Commercial Activities discussed in Action 2.6.4. Possible examples of the new activities include bed and breakfast accommodations and small restaurants in certain high density residential zones. However, these uses would be approved only if they did not adversely affect the area's character.

ACTION 2.6.6: PRIORITY DESIGNATED TO HISTORIC PROPERTIES FOR CITY DEVELOPMENT ASSISTANCE

Amend/develop economic development and community development project selection criteria to give priority to historic preservation projects involving Designated Historic Properties and for compatible New Construction on vacant noncontributing Preservation District parcels. Investigate Historic Preservation Grant Program for low-income residential Designated Historic Properties.

This action relates to Action 3.6.1's evaluation and selection procedure for City-sponsored or assisted projects. Giving priority to economic development and community development projects which preserve or enhance Designated Historic Properties will be one component of this procedure.

For community development projects, priority to historic preservation projects will be assigned only if the other evaluation factors between competing projects are equal. For residential rehabilitation projects, these factors will include the condition of the property (work to correct health and safety hazards is normally a priority) and the degree of the owner's need for assistance.

A residential historic preservation rehabilitation grant program should be investigated. The grants would supplement the City's residential rehabilitation loans and, like the loans, be limited to projects benefiting low-income residents. The grants would pay for any increased rehabilitation cost due to preserving existing Character-Defining Elements or for restoring missing or altered Character-Defining Elements.

All Designated Historic Properties eligible for residential rehabilitation loans would also be eligible for the grants, but due to funding limitations, it may be necessary to limit the grants only to the more important properties. Potential Designated Historic Properties would also be eligible for the grants if the owner agreed to apply for and obtain the highest Designated Historic Property status for which the property was eligible.

ACTION 2.6.7: HISTORIC PRESERVATION REVOLVING FUND

Study the feasibility of establishing a historic preservation revolving fund to be financed by tax increments, community development funds, or other sources to assist acquisition, rehabilitation, and, where necessary, relocation of Designated Historic Properties.

The revolving fund would provide loans to property owners and developers, but could also be used to finance purchase and rehabilitation by the City, followed by resale.

Establishing a revolving fund, rather than funding projects on a case-by-case basis, would assure that a source of funding is available when specific historic preservation projects are proposed. The fund would also facilitate projects which require funding on short notice, such as for properties which must be repaired immediately to correct conditions hazardous to public safety (see Policy 3.12 and related actions).

ACTION 2.6.8: MARKS BONDS

Investigate establishing a Marks historical rehabilitation bond program for acquisition, rehabilitation, and, where necessary, relocation of Designated Historic Properties.

Marks bonds can be issued by local governments to provide land for the acquisition, relocation, reconstruction, restoration, renovation or repair of historic properties.

Since the interest rates on Marks bond loans are similar to bank interest rates, the bonds appear to be most useful for projects which private lenders may be reluctant to finance, such as repair of earthquake-damaged buildings and seismic retrofit of unreinforced masonry buildings.

The bonds could be used to help finance the historic preservation revolving fund (Action 2.6.7 above), but, because they would typically be for long-term loans, they should probably be a separate program.

See Technical Report, Chapter 4, Section D.5 for further discussion.

ACTION 2.6.9: WAIVERS AND REDUCTIONS OF PERMIT FEES

Extend existing design review fee waivers for Landmarks to properties contributing or potentially contributing to Preservation Districts and for compatible New Construction on vacant noncontributing parcels in Preservation Districts. Investigate waiving or reducing building permit fees for design review applications involving these properties.

The City Planning Department now waives all design review permit fees for Landmarks. This practice should be extended to properties contributing or potentially contributing to Preservation Districts since these properties are subject to essentially the same development controls as Landmarks. Waiving or reducing building permit fees for work requiring design review should also be investigated.

Since permit fees pay the City's permit processing costs, any further fee reductions will require alternate funding sources. Possible sources include the general fund and, within redevelopment areas, tax increments.

ACTION 2.6.10: STATE HISTORICAL BUILDING CODE

Issue an Administrative Instruction directing application of the State Historical Building Code to Designated Historic Properties, and other qualified historical buildings.

The State Historical Building Code (SHBC) allows alternative methods of construction which are often less costly and intrusive than those normally required under current building codes, while still providing a reasonable level of safety. The SHBC and related alternative codes for older buildings are described in the Technical Report, Chapter 4, Section D.3.

For building, electrical, plumbing, and mechanical permits the Building Services Department has been making the SHBC available administratively to National Register properties, State Historical Landmarks, State Points of Historical Interest, Oakland landmarks, and properties contributing or potentially contributing to preservation districts. However, this administrative application is not formalized.

Additionally, under the Earthquake Repair Ordinance, the SHBC is available for repair of earthquake-damaged buildings which have been rated "A" or "B" by the Intensive Survey and are on the preservation study list, (see Technical Report, Chapter 4, Section G.3). Policy 2.6 further extends the SHBC to all Heritage Properties.

Action 2.6.10's Administrative Instruction will ensure implementation of Policy 2.6's SHBC provisions by all City departments which work with building codes, such as the Fire Prevention Bureau (Oakland Fire Code) and the Code Compliance Section (Oakland Housing Code).

**ACTION 2.6.11: STATE HISTORICAL BUILDING
CODE INFORMATION SHEET**

Prepare State Historical Building Code information sheet.

Many building owners, architects, and contractors are not familiar with the SHBC. The information sheet would help remedy this problem. Since some projects might not be economically feasible without the SHBC, encouraging SHBC use could stimulate projects which might not otherwise be built.

The sheet will summarize SHBC provisions and be displayed at the Central Permit, Zoning, Fire Prevention and Code Enforcement counters. In addition, the Building Services Department's informational brochure "Construction Permits in the City of Oakland" will be revised to mention the SHBC.

**ACTION 2.6.12: STATE HISTORICAL BUILDING
CODE INTERPRETATIONS**

Develop interpretations of selected State Historical Building Code provisions which are discretionary or ambiguous.

Some SHBC provisions give the City's Building Official significant discretion for applying each provision to a particular project. Also, some SHBC provisions are ambiguous, such as what constitutes fire or life safety considerations which would override the SHBC in certain situations, and whether the SHBC allows or mandates reduction in the maximum force levels related to wind or seismic loads.

Under Action 2.6.12, the Building Services Department would issue Code Interpretation Bulletins clarifying frequently used SHBC provisions that are discretionary or ambiguous.

Chapter 5:

HISTORIC PRESERVATION AND ONGOING CITY ACTIVITIES

OBJECTIVE 3: HISTORIC PRESERVATION AND ONGOING CITY ACTIVITIES

To establish administrative procedures and criteria to promote preservation of significant older properties as a routine part of City-sponsored or assisted projects, programs, and regulatory activities.

Besides Chapter 4's preservation incentives and regulations which are mostly for private projects, there are other more direct preservation measures the City can take as part of City-sponsored or assisted projects and programs. The City can also increase preservation emphasis in ongoing regulatory activities, including code enforcement, and zoning and other discretionary permit approvals¹. These measures are set forth in the following policies and actions.

POLICY 3.1: AVOID OR MINIMIZE ADVERSE HISTORIC PRESERVATION IMPACTS RELATED TO DISCRETIONARY CITY ACTIONS.

The City will make all reasonable efforts to avoid or minimize adverse effects on the Character-Defining Elements of existing or Potential Designated Historic Properties which could result from private or public projects requiring discretionary City actions.

Policy 3.1 is a general policy which is expressed more specifically in this Chapter's other policies and their related actions.

1. "Discretionary" approvals or actions contrast with "ministerial" approvals, which are based only on the application of fixed standards or objective measurements and do not involve special discretion or subjective judgement by a City official or decision making body. Ministerial approvals include those for building permits and many demolition permits.

POLICY 3.2: HISTORIC PRESERVATION AND CITY-OWNED PROPERTIES

To the extent consistent with other Oakland General Plan objectives, the City will ensure that all City-owned or controlled properties warranting preservation will, in fact, be preserved. All City-owned or controlled properties which may be eligible for Landmark or Heritage Property designation or as contributors or potential contributors to a Preservation District will be considered for such designation.

Properties held by the City for purposes of subsequent disposition will be exempt from this policy but shall be subject to Policy 3.3.

This policy sets an example for owners of other potential Landmarks, Heritage Properties or Preservation District properties to have their properties similarly designated.

The City will prepare Intensive Survey identification and evaluation materials for existing or Potential Designated Historic Properties held by the City for subsequent disposition and provide this information to prospective developers of those properties to ensure that historic character is considered at the earliest stage of the planning and development process.

ACTION 3.2.1: DESIGNATED HISTORIC PROPERTY STATUS FOR CITY-OWNED PROPERTY.

Determine which City-owned or controlled Potential Designated Historic Properties are eligible as Landmarks, Preservation Districts, or Heritage Properties. Perform Intensive Survey evaluations for Potential Designated Historic Properties requiring such evaluations for eligibility determinations. Consider initiating designation of eligible properties.

Individual City-owned properties will be considered eligible for Landmark, Preservation District, and/or Heritage Property designation if they meet the eligibility criteria for these designations set forth in

Chapter 4, Policies 2.1 and 2.5 and, in the case of Landmarks and Preservation Districts, have been **determined eligible** for these designations by the Landmarks Board according to Article 4, Section I of the Board's Rules of Procedure (see Technical Report, Appendix F).

City-owned Potential Designated Historic Properties included in the Reconnaissance Survey which may be eligible for Heritage Property designation (e.g. those rated "C" and contributors to Areas of Primary or Secondary Importance), but which require Intensive Survey evaluations to confirm eligibility will have such evaluations expeditiously performed.

Staff will ask the Landmarks Board to consider initiating designation for all potentially eligible City-owned Landmarks and Preservation District properties and to consider designating all eligible City-owned Heritage Properties.

ACTION 3.2.2: HISTORIC PRESERVATION MANAGEMENT PROCEDURE FOR CITY-OWNED PROPERTIES.

Issue Administrative Instruction directing the Offices of Public Works, Parks and Recreation, General Services, Economic Development and Employment, and Housing and Neighborhood Development, and all other City departments responsible for designing, constructing, maintaining, leasing, or selling City-owned or controlled properties to ensure that these properties are managed in a manner consistent with Policy 3.2.

The management procedure should consider requiring that when City-owned existing or Potential Designated Historic Properties are sold, deed restrictions will be applied to the property ensuring a reasonable level of preservation.

POLICY 3.3: DESIGNATED HISTORIC PROPERTY STATUS FOR CERTAIN CITY-ASSISTED PROPERTIES.

To the extent consistent with other General Plan Goals, Policies and Objectives, as a condition for providing financial assistance to projects involving existing or Potential Designated Historic Properties, the City will require that complete application be made for such properties to receive the highest local designation for which they are eligible prior to issuance of a building permit for the project or transfer of title (for City-owned or controlled properties), whichever comes first.

However, Landmark or Preservation District applications will not be required for projects which are small-scale or do not change exterior appearance.

The City will prepare Intensive Survey identification and evaluation materials for existing or Potential Designated Historic Properties held by the City for subsequent disposition and provide this information to prospective developers of those properties to ensure that historic character is considered at the earliest stage of the planning and development process. Prior to final decision on the development permits or transfer of title on a City-owned or City-assisted project, the Landmark Preservation Advisory Board shall make a determination of eligibility for Historic Property designation within 30 days of referral. The Board's recommendation shall be transmitted to the decision making body for consideration in time for the final decision on the development or disposition of the property.

Any action by the City to transfer title on a Landmark eligible property shall be considered a form of "City-assistance" and subject to Policy 3.3.

ACTION 3.3.1: CITY ASSISTANCE CONTRACT PROVISIONS FOR DESIGNATED HISTORIC PROPERTY STATUS.

Develop a standard condition for City assistance contracts involving existing or Potential Designated Historic Properties requiring that application be made prior to project funding for these properties to receive the highest Designated Historic Property classification for which they are eligible. This condition will not apply to Landmark or Preservation District designation for projects which are small-scale or do not change exterior appearance.

Designation would not be effective until after project completion.

ACTION 3.3.2: SMALL-SCALE EXEMPT PROJECT DEFINITION.

Develop definition of small-scale projects to be exempt from Policy 3.3, Action 3.3.1 and Policy 3.6.

POLICY 3.4: CITY ACQUISITION FOR HISTORIC PRESERVATION WHERE NECESSARY.

Where all other means of preservation have been exhausted, the City will consider acquiring, by eminent domain if necessary, existing or Potential Designated Historic Properties, or portions thereof, in order to preserve them. Such acquisition may be in fee, as conservation easements, or a combination thereof.

This policy is expected to be applied only to the most important properties (e.g. existing or eligible Class 1 Landmarks) and primarily addresses two situations:

- (a) Where all of the following apply:
 - (i) the property is proposed for demolition to develop a different use;
 - (ii) relocation of the property is unacceptable to the City or infeasible; and
 - (iii) the applicant demonstrates that the existing property has no reasonable use or cannot generate a reasonable economic return, and that the development replacing it will generate such return.
- (b) Where the owner of a badly damaged or deteriorated property is unable or unwilling to rehabilitate it and the City determines either that the property is economically feasible for a new owner to rehabilitate or that the property is of such importance that the City's acquisition and disposition cost would appropriately exceed the property's market value. (See the discussion of substandard and public nuisance properties following Policy 3.12 and the related acquisition strategies in Actions 3.12.3 and 3.12.4)

It is expected that the City will resell the properties to new owners as soon as possible after acquisition. Such sale would be accompanied by deed restrictions to ensure that the property is preserved. Funding for both acquisition and rehabilitation could come from the Historic Preservation Revolving Fund (Action 2.6.7).

In some cases, acquisition methods such as receivership and bargain sales (See Action 3.12.4 discussion) may be alternatives to eminent domain.

ACTION 3.4.1: ORDINANCE FOR ACQUISITION BY EMINENT DOMAIN.

Enact ordinance for City acquisition of existing or Potential Designated Historic Properties by eminent domain.

Although the City may use eminent domain to acquire properties for historic preservation purposes and transfer to new owners, the City must still adopt a specific ordinance to avoid random or capricious use of this power.

The ordinance must be accompanied by procedures and criteria for City acquisition of an existing or Potential Designated Historic Properties as described in Action 3.4.2 below. Similar legislation, procedures, and criteria have been adopted as part of the City's program to acquire vacant houses through eminent domain (see Policy 3.12 discussion).

ACTION 3.4.2: ACQUISITION PROCEDURES AND CRITERIA.

Develop procedures and criteria for City acquisition of existing or Potential Designated Historic Properties, including procedures and criteria for using eminent domain where applicable.

This action relates to all historic preservation acquisitions by the City, whether or not eminent domain is involved.

The procedures and criteria should:

- (a) identify the circumstances where acquisition is appropriate (example: existing or potential Class 1 Landmarks but only where the expected proceeds from resale at least equal a specified percentage of the acquisition price);
- (b) where use of eminent domain is appropriate; and
- (c) set forth the acquisition procedure, including any special eminent domain procedures.

POLICY 3.5: HISTORIC PRESERVATION AND DISCRETIONARY PERMIT APPROVALS.

For additions or alteration to Heritage Properties or Potential Designated Historic Properties requiring discretionary City permits, the City will make a finding that: (1) the design matches or is compatible with, but not necessarily identical to, the property's existing or historical design; or (2) the proposed design comprehensively modifies and is at least equal in quality to the existing design and is compatible with the character of the neighborhood; or (3) the existing design is undistinguished and does not warrant retention and the proposed design is compatible with the character of the neighborhood.

For any project involving complete demolition of Heritage Properties or Potential Designated Historic Properties requiring discretionary City permits, the City will make a finding that: (1) the design quality of the proposed project is at least equal to that of the original structure and is compatible with the character of the neighborhood; or (2) the public benefits of the proposed project outweigh the benefit of retaining the original structure; or (3) the existing design is undistinguished and does not warrant retention and the proposed design is compatible with the character of the neighborhood.

This policy applies to both privately and publicly sponsored projects and is based on exemption and approval criteria originally developed as part of the City's Special Residential Design Review procedure for alterations and additions (see Technical Report, Chapter 4, Section G.1.a).

Policy 3.5 also modifies the original Special Residential Design Review exemption and approval criteria by:

- (a) allowing alterations or additions to match or be compatible with either the existing or historical design rather than just the existing design; this will add an incentive for restoring altered properties.
- (b) identifying the specific situations where compatibility with the property's existing or

historical design is not required, expressed by clauses (2) and (3) of the policy; these exceptions are similar to Finding (iii) in Table 4-2 Section (b) for alterations or new construction to Class 3 Landmarks but broader.

Landmarks and Preservation Districts are excluded from this policy since they have their own more specific and restrictive design criteria in Policy 2.4.

ACTION 3.5.1: DESIGN GUIDELINES FOR DISCRETIONARY PERMIT APPROVALS.

Amend existing design guidelines for non-Landmark or non-Preservation District design review applications to reflect Policy 3.5. Develop and adopt design guidelines for design review situations where no such guidelines presently exist.

In addition to the "Special" Residential Design Review provisions referred to above, the Zoning Regulations require "regular" design review for various situations. Design guidelines are provided for some of these situations, but not for others.

Action 3.5.1 will amend existing design guidelines to include Policy 3.5.'s requirement that the new design matches or is compatible with, but not necessarily identical to, the property's existing or historic design for projects involving Heritage Properties or Potential Designated Historic Properties. In all other cases, guidelines based on Policy 3.5 will be developed.

Action 3.5.1 excludes design guidelines for Landmarks and Preservation Districts since they are already provided by Action 2.4.1.

ACTION 3.5.2: STANDARD CONDITIONS FOR DISCRETIONARY PERMIT APPROVALS.

Develop standard conditions of approval that apply Policy 3.5 to projects requiring discretionary City permit approvals other than design review, and that require conformity with Action 3.5.1's design guidelines.

The conditions of approval would be necessary only when the project design does not conform with Policy 3.5's design provisions or is insufficiently detailed to allow a determination of conformity.



Hanifin House, 1807 Martin Luther King, Jr. Way. Potential Class 2 Landmark adversely remodeled with City assistance. Would probably have been potential Class 1 Landmark prior to remodeling.

POLICY 3.6: HISTORIC PRESERVATION AND CITY-SPONSORED OR ASSISTED PROJECTS.

To the extent consistent with other Oakland General Plan provisions, City-sponsored or assisted projects involving an existing or Potential Designated Historic Property, except small-scale projects, will:

- (a) be selected and designed to avoid or minimize adverse effects on these properties and to promote their preservation and enhancement;
- (b) incorporate preservation efforts based in part on the importance of each property; and
- (c) be considered to have no adverse effects on these properties if they conform with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

The City will encourage applicants for City-assisted projects to submit proposals consistent with this policy.

This policy applies to all City-sponsored or assisted projects involving alteration, addition, demolition, or new construction to an existing or Potential Designated Historic Properties, except small-scale projects as defined by Action 3.3.2. The policy is similar to Policy 3.5, but is limited to City projects and uses a stricter standard -- the Secretary of the Interior's Standards -- as one of several possible criteria for avoiding or minimizing adverse effects on these properties. The Secretary of the Interior's Standards are in Chapter 4, Table 4-3.

Many City projects use Federal funds and are therefore already encouraged under Section 106 of the National Historic Preservation Act to conform with the Secretary of the Interior's Standards to help protect any existing or eligible National Register properties (see Technical Report, Chapter 4, Section A.2). Policy 3.6 extends the Standards to non-Federally funded City projects and to City projects that involve existing or Potential Designated Historic Properties that are not on or eligible for the National Register.

ACTION 3.6.1: EVALUATION AND SELECTION PROCEDURES FOR CITY-SPONSORED OR ASSISTED PROJECTS.

Develop or modify evaluation and selection procedures for City-sponsored or assisted projects that appropriately balance historic preservation with other priorities.

The procedures will generally seek to avoid adverse effects on an existing or Potential Designated Historic Properties related to City projects. If adverse effects were identified for a particular project, the procedure would encourage investigating alternatives which still meet project objectives. The basic procedures should be in an Administrative Instruction, but variations may be required for individual departments.

Under these procedures, projects which preserve or enhance an existing or Potential Designated Historic Property would receive priority over those which did not, assuming that all other evaluation factors were equal for both projects. Similarly, projects which adversely affected such properties would receive less priority than those which did not. Priorities would be based, in part, on the property's importance, with the more important properties receiving higher preservation priority than less important properties.

The project evaluation procedure will incorporate Action 2.6.6 (Economic Development and Housing and Neighborhood Development Project Selection Criteria giving priority to projects preserving Designated Historic Properties).

ACTION 3.6.2: DEVELOPMENT AND DESIGN ASSISTANCE FOR CITY-ASSISTED PROJECTS.

Amend, where necessary, informational publications for the City's development assistance programs to encourage projects which preserve or enhance existing or Potential Designated Historic Properties and avoid or minimize adverse effects on these properties. Provide development and design assistance to project applicants which includes preservation options where consistent with project objectives.

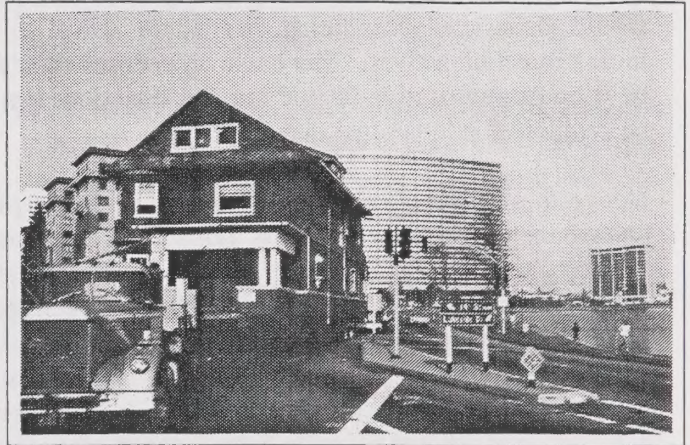
Development and design assistance has been offered on a limited basis as part of the City's economic development and housing rehabilitation programs, but generally has not encouraged historic preservation. Action 3.6.2 would use new and existing programs to advise property owners and developers of cost-effective historic preservation techniques. For projects adversely affecting an existing or Potential Designated Historic Properties, the programs would help applicants investigate preservation alternatives consistent with project objectives. New construction in existing or potential Preservation Districts would receive design assistance for maintaining compatibility with the District.

POLICY 3.7: PROPERTY RELOCATION RATHER THAN DEMOLITION AS PART OF DISCRETIONARY PROJECTS.

As a condition of approval for all discretionary projects involving demolition of existing or Potential Designated Historic Properties, the City will normally require that reasonable efforts be made to relocate the properties to an acceptable site.

This policy applies both to City-sponsored or assisted projects and to discretionary permit approvals.

The policy is already partly implemented as a standard condition of approval for most projects involving zoning permits and removal of any residential building. Under this condition, the applicant is normally released from the relocation requirement after 90 days if the applicant demonstrates to the satisfaction of the Director of City Planning that all reasonable efforts have been made to relocate the building and that these efforts have been unsuccessful.



Top: Houses on 16th Avenue across from San Antonio Park moved there by a private developer to meet a condition of approval for construction of a condominium at their old location in Adams Point.

Bottom: During move.

ACTION 3.7.1: PROPERTY RELOCATION PROCEDURES AND DESIGN GUIDELINES FOR ALL DISCRETIONARY PROJECTS.

Prepare property relocation procedures and design guidelines to be adopted by the Landmarks Preservation Advisory Board and City Planning Commission for existing or Potential Designated Historic Properties required to be relocated pursuant to discretionary City approvals.

The relocation procedure would define what constitutes "reasonable efforts" as stated in Policy 3.7 and the existing condition of approval. For example, the applicant might be required to publish a minimum number of newspaper advertisements and to post an "available" sign on the property.

The procedure would identify when the City itself would undertake building relocations. If the City moved a building for a private project, the applicant could be asked to contribute to the City what the applicant's demolition and other costs would otherwise have been had the building not been moved.

The design guidelines would encourage moving buildings into areas compatible with the building's historic or architectural character and encourage site plans similar to existing or historic site plans.

ACTION 3.7.2: PROPERTY RELOCATION PROCEDURES FOR CITY-SPONSORED OR ASSISTED PROJECTS.

Issue an Administrative Instruction establishing property relocation procedures for City-sponsored or assisted projects involving existing or Potential Designated Historic Properties.

The Administrative Instruction would require the sponsoring departments to (a) determine whether any existing or Potential Designated Historic Property must be removed from the project site; (b) determine whether the property is suitable for relocation according to criteria to be provided in the procedure; (for example, suitable properties might be limited to those relatively easy to move such as wood-frame buildings); and (c) arrange relocation of any

relocatable existing or Potential Designated Historic Property using Action 3.7.1.'s design guidelines.

ACTION 3.7.3: BUILDING RELOCATION ASSISTANCE PROGRAM.

Investigate establishing a building relocation assistance program to (1) provide a building relocation revolving loan fund, (2) identify City-owned or controlled land as building relocation sites, (3) provide lists of buildings available to be moved, and (4) facilitate City permit and utility company approvals.

Most private lenders refuse to finance building relocation projects until after a building is on a new foundation. A building relocation revolving loan fund would help remove this obstacle. The loan would be limited to the actual cost of relocation -- the move itself, overhead utility clearances, and new foundations -- and would not include any follow-up rehabilitation work. The loan would normally be refinanced as soon as the building is on a permanent foundation.

Building relocations are also discouraged by the need to find suitable sites on short notice. The assistance program could identify available vacant City-owned or controlled lots and provide lists of non City-owned vacant lots from tax assessment rolls.

The program could also provide lists of buildings available to be moved. At a minimum, the lists should include buildings required to be moved for City-sponsored or assisted projects or as a condition of approval for City permits. The lists could also include buildings that are simply unwanted by their owners.

Formulation and distribution of the vacant lot and available building lists should be coordinated with the Oakland Association of Realtors and other private sector development organizations. Copies of the lists should be available at the permit counters and at the Offices of Economic Development and Employment and Housing and Neighborhood Development.

Reserving some City-owned parcels exclusively for move-ons should be considered, especially parcels within existing or potential Preservation Districts.

Helping coordinate City permit and utility company approvals should also be considered. The complexity of obtaining these approvals is frustrating to most developers and contributes to the general lack of developer interest in building relocation projects. These approvals usually involve numerous and sometimes independent entities including: the Building Services Department for the actual moving permit and related building permits; Pacific Gas and Electric Company, Cable Oakland and Pacific Bell for utility line drops; the Traffic Engineering and Parking Division for the moving route approval and arranging closure of the route to through traffic and on-street parking; and the Office of Parks and Recreation for trimming any obstructing street trees. Approvals by the City Planning Department, the East Bay Municipal Utility District, and Caltrans are also sometimes necessary.

ACTION 3.7.4: BUILDING RELOCATION PERMIT REGULATIONS.

Review building relocation permit procedures to determine whether they can be simplified and made more expeditious.

These procedures may be unnecessarily complex. For example, a City Manager hearing is required for any proposed relocation. Hearing notices are sent to all owners of property within 150 feet of the existing site and the relocation site. This requirement may warrant revision, since hearings are not held for most new construction and may be unnecessary for building relocations. The requirement that a moved building meet all current code provisions may also warrant revision.

POLICY 3.8: DEFINITION OF "LOCAL REGISTER OF HISTORICAL RESOURCES" AND HISTORIC PRESERVATION "SIGNIFICANT EFFECTS" FOR ENVIRONMENTAL REVIEW PURPOSES.

For purposes of environmental review under the California Environmental Quality Act, the following properties will constitute the City of Oakland's Local Register of Historical Resources¹:

- 1) All Designated Historic Properties, and**
- 2) Those Potential Designated Historic Properties that have an existing rating of "A" or "B" or are located within an Area of Primary Importance.**

Until complete implementation of Action 2.1.2 (Redesignation), the Local Register of Historical Resources will also include the following designated properties: Oakland Landmarks, S-7 Preservation Combining Zone properties, and Preservation Study List properties.

Complete demolition of a Historical Resource will normally be considered a significant effect that cannot be mitigated to a level less than significant and will, in most cases, require preparation of an Environmental Impact Report.

A proposed addition or alteration to a Historical Resource that has the potential to disqualify a property from Landmark or Preservation District eligibility or may have substantial adverse effects on the property's Character-Defining Elements will normally, unless adequately mitigated, be considered to have a significant effect. Possible mitigation measures are suggested in Action 3.8.1.

See Appendix A for definition of "Character Defining Elements".

1. Any property listed on the California Register of Historical Resources or officially determined to be eligible for listing on the California Register of Historical Resources is also considered a "Historical Resource" pursuant to Section 21084.1 of the California Environmental Quality Act.

ACTION 3.8.1: INCLUDE HISTORIC PRESERVATION IMPACTS IN CITY'S ENVIRONMENTAL REVIEW REGULATIONS.

Include Policy 3.8's definitions of "Local Register of Historical Resources" and historic preservation "significant effect" in the City's Environmental Review Regulations.

Amend the Regulations to include specific measures that may be considered to mitigate significant effects to a Historical Resource. Measures appropriate to mitigate significant effects to a Historical Resource may include one or more of the following measures depending on the extent of the proposed addition or alteration².

- 1) Modification of the project design to avoid adversely affecting the character defining elements of the property.
- 2) Relocation of the affected Historical Resource to a location consistent with its historical or architectural character.

If the above measures are not feasible, then other measures may be considered including, but not limited to the following:

- 3) Modification of the project design to include restoration of the remaining historic character of the property.
- 4) Modification of the project design to incorporate or replicate elements of the building's original architectural design.
- 5) Salvage and preservation of significant features and materials of the structure in a local museum or within the new project.
- 6) Measures to protect the Historical Resource from effects of on-site or other construction activities.
- 7) Documentation in a Historic American Buildings Survey report or other appropriate format: photographs, oral history, video, etc.

- 8) Placement of a plaque, commemorative marker, or artistic or interpretive display on the site providing information on the historical significance of the resource.
- 9) Contribution to a Facade Improvement Fund, the Historic Preservation Revolving Loan Fund, the Oakland Cultural Heritage Survey, or other program appropriate to the character of the resource.

The City is developing new "Environmental Review Regulations" to replace the "Statement of Objectives, Criteria, and Procedures for Implementation of the California Environmental Quality Act", required by the State. The regulations will require adoption of "Thresholds of Significance" for all types of environmental impacts, including historic preservation impacts. Policy 3.8 provides the definition of historic preservation "significant effect" to be used in the Thresholds.

2. Per the provisions of the California Environmental Quality Act, determination of whether mitigations are adequate to reduce a significant effect to a Historical Resource to a level less than significant will be determined by the lead agency on a case by case basis.

POLICY 3.9: CONSISTENCY OF ZONING WITH EXISTING OR ELIGIBLE PRESERVATION DISTRICTS.

- (a) Unless necessary to achieve some other Oakland General Plan goal or policy which is of greater significance, the base zone of existing or eligible Preservation Districts shall not encourage demolition or removal of a district's contributing or potentially contributing properties nor encourage new construction that is incompatible with these properties.
- (b) The City will always consider including a historic preservation component in areawide or specific plans. As part of any amendment to the Zoning Regulations, the impact on historic properties will be evaluated.

See Action 3.9.1 below for explanation of "eligible Preservation Districts".

The existing zoning in many existing and potential Preservation Districts is not consistent with the Districts' character. This sometimes encourages removal of historic properties and development of incompatible new uses. For example, some districts that contain predominantly one-family houses may be zoned for high density apartments.



16th Street between Brush and West Streets. Mostly medium density neighborhood eligible for possible Class 2 Preservation District designation, but zoned for high density apartments.

ACTION 3.9.1: ZONING STUDY AND POSSIBLE ZONING AMENDMENTS.

Identify which potential Preservation Districts are eligible for Preservation District designation. Review the zoning requirements of each existing or eligible Preservation District to identify (a) any characteristics of the existing zoning inconsistent with preservation of the district's contributing or potentially contributing properties; (b) any zoning text changes, including creation of new zones, which should be adopted to remove such inconsistencies; and (c) specific zoning map changes needed for each area. Enact any recommended zoning text and map changes.

The identification of eligible Preservation Districts would be based on the Guidelines for Determination of Preservation District Eligibility (see Policy 2.2(d) and (e) and Action 2.2.1). Existing and eligible Districts would then be reviewed to determine if there are any characteristics of the existing zoning which are inconsistent with preservation of each District's contributing or potentially contributing properties.

POLICY 3.10: HISTORIC PRESERVATION IN RESPONSE TO EARTHQUAKES, FIRES OR OTHER EMERGENCIES.

In the event of an earthquake, fire, flood, or other similar unforeseen event affecting existing or Potential Designated Historic Properties, the City will take all reasonable steps to prevent additional adverse effects on these properties and to promote their rapid repair without endangering public safety or contributing to additional property damage. Prevailing code for such repair will be the Oakland Building Code; the Uniform Code for Building Conservation where permitted under state law; and, for qualified historical buildings, the State Historical Building Code.²

This policy is partly based on the City's existing Earthquake Repair Ordinance and the City's hazard abatement response following the 1989 Loma Prieta Earthquake and 1991 Oakland Hills Fire. Unlike some communities, Oakland did not order wholesale demolitions of buildings damaged in the 1989 earthquake, but instead mostly relied on stabilization or removal of only those building elements which presented immediate hazards, coupled with temporary sidewalk barricades and similar treatments to protect passersby from possible falling debris.

Using the State Historical Building Code and similar alternative codes will promote Policy 3.10's rapid repair provision by reducing construction scope and costs and enhancing economic feasibility. The possibility of major adverse changes to Character-Defining Elements due to strict code compliance will also be reduced.

ACTION 3.10.1: REVIEW AND POSSIBLE AMENDMENT OF EMERGENCY RESPONSE DOCUMENTS.

Review and, where necessary, amend or supplement the City's Emergency Plan, Departmental Operations Manuals, Earthquake Repair Ordinance, and related documents and programs to ensure adequate protection for existing and Potential Designated Historic Properties following an earthquake, fire, flood, or similar unforeseen event.

The Emergency Plan, Departmental Operations Manuals, and Earthquake Repair Ordinance are the City's primary disaster response documents. Specific protective measures which will be included in these and related documents as part of Action 3.10.1 are:

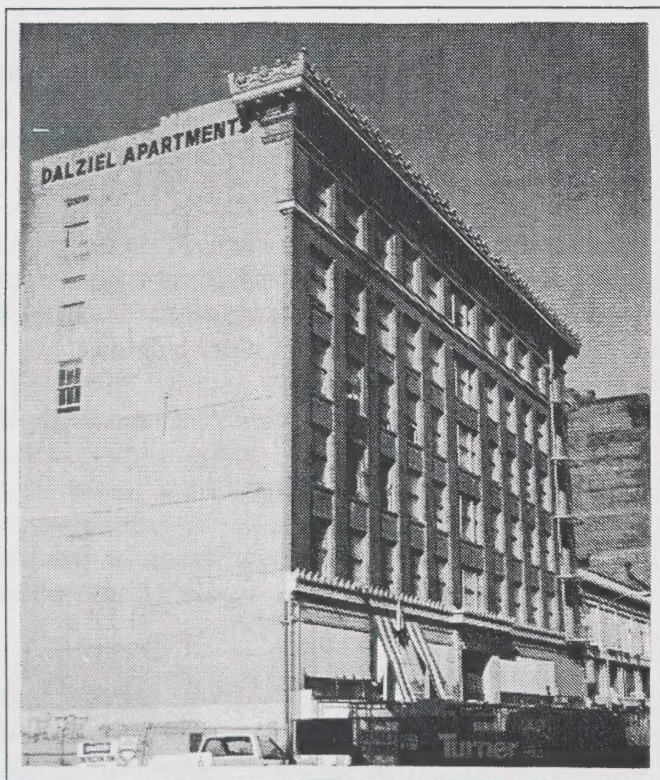
- (1) where structural issues are involved, investigation of damaged properties by structural engineers or other qualified design professionals with expertise in the repair and retrofit of older buildings;
- (2) procedures to stabilize and/or isolate damaged structures in order to safely allow further investigation of the structures; and
- (3) financial assistance programs to assist owners' rehabilitation studies and repair efforts where necessary.

These measures are already partly incorporated into the City's disaster response procedures, but not in their entirety and generally not in written form.

2. Many of the proposals in Policies 3.10 and 3.11 and in related actions and discussion are derived from: John F. Merritt (California Preservation Foundation), *History at Risk – Loma Prieta: Seismic Safety and Historic Buildings*, 1990, 16-19.

Probably Oakland's greatest problem responding to the 1989 earthquake was providing financial assistance for building repair, especially in downtown and West Oakland. Owners of many of these buildings could not obtain private financing for repairs. The buildings are therefore still vacant, are increasingly derelict, and may eventually require demolition.

Possible funding sources to help finance repairs are redevelopment tax increments and special tax assessment districts to issue bonds.



Owners of many earthquake-damaged buildings have not been able to obtain private or public financing for repairs.

Other disaster response measures for an existing or Potential Designated Historic Properties which the City should investigate include:

- (i) Consider City-sponsored financial assistance to owners to pay for rehabilitation feasibility studies, rehabilitation plans, and temporary structural stabilization.
- (ii) Consider stabilization or complete repair of damaged buildings by the City with placement of a "friendly lien" on the property, which would be removed when reimbursement arrives from the Federal Emergency Management Agency (FEMA), other government assistance programs, or conventional private loans.
- (iii) Consider requiring owners who decide to demolish or adversely alter a damaged building to clearly demonstrate the economic infeasibility of returning the building to service or performing nonadverse repair alternatives.
- (iv) Consider reducing or waiving permit fees for repair of existing and Potential Designated Historic Properties.
- (v) Consider waiving or modifying zoning requirements, where appropriate, to facilitate repair.
- (vi) Consider requiring owners who cannot afford to repair a property to make a good faith effort to sell the property to someone who can.
- (vii) Consider City acquisition of the property using eminent domain, if necessary, following the procedures and criteria developed by Action 3.4.2.
- (viii) Consider storage for future reuse of any brick, terra cotta or other difficult to replace materials that fell off or were removed.

POLICY 3.11: HISTORIC PRESERVATION AND SEISMIC RETROFIT AND OTHER BUILDING SAFETY PROGRAMS.

- (a) The City's building safety programs, including seismic retrofit programs, will seek to preserve existing or Potential Designated Historic Properties and their Character-Defining Elements. Where changes to such elements are unavoidable to achieve code compliance or other City-mandated modifications, the City will encourage owners to design the changes in a manner which minimizes visual impacts.
- (b) Prevailing codes for the City's building safety programs when applied to existing or Potential Designated Historic Properties will be the Oakland Building Code; the Uniform Code for Building Conservation where permitted under state law; and, for qualified historical buildings, the State Historical Building Code.

Building components critical to fire and life safety or which create unhealthy conditions must normally meet current code standards and may therefore require periodic replacement or retrofit. Policy 3.11 addresses these requirements in a manner similar to Policy 3.10's response to emergency-related hazards and is especially relevant to current efforts to encourage seismic reinforcement of unreinforced masonry buildings (see Technical Report, Chapter 4, Section E.4).

Despite availability of the State Historical Building Code and other alternative codes, some changes to Character-Defining Elements of older buildings may still be required to meet fire, life safety, and similar requirements. In these cases, Policy 3.11 requires that the changes be designed to minimize adverse effects on Character-Defining Elements.

ACTION 3.11.1: REVIEW BUILDING CODES AND RELATED DOCUMENTS.

Review and, where necessary, amend or supplement the Oakland Building Code, Fire Code, Housing Code, and other relevant City codes, documents, and programs to ensure adequate protection for existing and Potential Designated Historic Properties as part of mandated building safety programs. Ensure that this protection is incorporated into any future programs.

Such protection will include: (1) where structural issues are involved, review of structural evaluations and designs by structural engineers or other qualified design professionals with expertise in the repair and retrofit of older buildings; and (2) financial assistance where necessary.

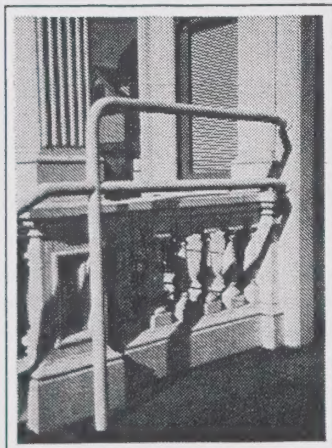
ACTION 3.11.2: DESIGN GUIDELINES FOR BUILDING SAFETY PROGRAMS.

Prepare design guidelines to minimize changes to Character-Defining Elements due to code compliance or other City-mandated modifications.

Code Compliance, Seismic Safety and other Office of Planning and Building staff would use the design guidelines to suggest specific code compliance measures. The guidelines could be part of the Design Guidelines for Landmarks and Preservation Districts (Action 2.4.1).



Changes to meet code requirements sometimes unnecessarily destroy historic fabric.



Top: New wrought iron guardrail installed to meet 42-inch height required by the Building and Housing Codes.

Left: A better approach is to retain the approximately 30-inch historic guardrail and supplement it with a new or extended guardrail to meet code requirements.

POLICY 3.12: HISTORIC PRESERVATION AND SUBSTANDARD OR PUBLIC NUISANCE PROPERTIES.

Before requiring vacation or demolition, the City will take all reasonable actions to repair or rehabilitate existing or Potential Designated Historic Properties which have been determined to be substandard or public nuisances under the Oakland Dangerous Buildings Code, the Oakland Housing Code, the Blight Ordinance, the Earthquake Repair Ordinance, or any other City code or ordinance. In cases where such properties are already vacant or an immediate hazard, such repair or rehabilitation will occur expeditiously to prevent further deterioration or to abate the immediate hazard.

Buildings which are unsafe, deteriorated, abandoned, and/or have serious violations of Oakland's building and housing codes can be declared substandard, ordered vacated, and, if also declared public nuisances, ordered rehabilitated or demolished. This can be done either by the City's Building Official under the Oakland Dangerous Buildings Code or the Earthquake Repair Ordinance, or by the Housing Division Official and the Housing Advisory and Appeals Board under the Oakland Housing Code or Blight Ordinance. The Housing Code's abatement procedures are the most frequently used. Under the Blight Ordinance they can be applied to both residential and nonresidential properties. Similar procedures are set forth in the Earthquake Repair Ordinance for earthquake damaged buildings. City demolitions are accompanied by liens on the property to eventually reimburse the City's demolition costs (see discussion of these procedures in the Technical Report, Chapter 4, Sections G.3 and G.4).

In recent years, almost all demolished buildings were vacant or abandoned at the time they first came to the City's attention. Many vacant buildings have owners who are either unable, unwilling or simply not interested in maintaining the properties. If not adequately secured, vacant buildings usually deteriorate quickly and valuable fixtures are stolen.

The rapid deterioration cycle resulting from building vacation or abandonment has been the biggest source

of historic building losses in Oakland since at least the mid-1970s. Many of these demolished buildings would have been feasible to rehabilitate had they not become vacant or had they been reoccupied or adequately secured soon after vacation.



Simpson House, 524 23rd Street. Vacant for only a few months in 1988-89 before it was occupied by vagrants, had architectural fixtures stolen, and was burned and demolished.

As an alternative to demolition or attempting to negotiate property acquisition from uncooperative owners, the Housing Code was amended in 1980 to allow the City to acquire vacant properties by eminent domain for resale to new owners who would rehabilitate them. However, the program's results have been limited, due primarily to the highly deteriorated condition of most properties by the time the City considers acquisition and the excessive time required once acquisition is initiated.

In the past, the Oakland General Plan has promoted rehabilitation of **all** deteriorated properties; Policy 3.12 adds special acquisition and rehabilitation efforts for existing and Potential Designated Historic Properties. Policy 3.12 also implicitly mandates the City to act promptly when dealing with owners who clearly cannot be relied on to rehabilitate these properties on their own.

Specific approaches for implementing Policy 3.12 are in the following Actions:

ACTION 3.12.1: HOUSING CODE PROCEDURES AND NOTICES.

Investigate amending the Oakland Housing Code and existing code violation notices to emphasize rehabilitation over demolition as the preferred violation abatement method and to advise of City rehabilitation assistance programs.

Existing violation notices imply that demolition and rehabilitation are equally acceptable alternatives. This sometimes results in owners demolishing buildings which might have been feasible to rehabilitate and which the City might have acquired for rehabilitation under the procedures described in Action 3.12.3.

Before sending out the initial code violation notices, the City should preliminarily determine the property's feasibility for rehabilitation. Where rehabilitation appears feasible, the initial notices would emphasize rehabilitation as the preferred abatement mechanism. If the owner did not proceed with rehabilitation, the City would then consider acquisition and other preservation measures before suggesting demolition as an option.

ACTION 3.12.2: INCENTIVES FOR RETURNING VACANT PROPERTIES TO SERVICE.

Investigate ways to encourage owners of vacant substandard or public nuisance properties to return the properties to service.

A recently implemented measure is the charging of reinspection fees if inadequate action has been taken within a prescribed time period (usually 30 days) to correct code violations.

Additional incentives for returning vacant buildings to service should be investigated. Examples include priority for City-sponsored rehabilitation assistance and automatic City initiation of Heritage Property designation to allow use of the State Historical Building Code.

ACTION 3.12.3: EARLIER PROPERTY ACQUISITIONS.

Consider acquisition of existing or Potential Designated Historic Properties declared as substandard or public nuisances earlier in the Housing Code enforcement process.

Although the Housing Code permits the City to initiate acquisition of vacant property through eminent domain within 30 days after a property has been declared substandard and vacated, acquisition in practice is not initiated until after a property has been declared a public nuisance. Public nuisance properties are generally much more deteriorated than substandard properties and are often determined infeasible for rehabilitation. Initiating acquisition as soon as possible after a property is declared substandard should increase the numbers of properties which could be acquired and rehabilitated.

Acquisition of substandard properties which are not yet vacant should also be considered. This would require amending the Housing Code.

ACTION 3.12.4: ADDITIONAL PROPERTY ACQUISITION AND THIRD-PARTY TRANSFER METHODS.

Investigate additional property acquisition and third party transfer methods for existing or Potential Designated Historic Properties which are substandard or public nuisances. Such methods should include but not be necessarily limited to bargain sales, receivership programs, and property tax foreclosures.

These methods may be better alternatives to the existing eminent domain procedure for acquiring properties from owners who are unable or unwilling to rehabilitate or sell them.

Bargain sales involve sale or transfer of a property to a nonprofit organization at a cost below the fair market value. The seller can recoup some of the difference between the sale price and the fair market value by treating this difference as a charitable contribution. There are various nonprofit housing development organizations in Oakland who could qualify as buyers in bargain sales.

Receivership enables a court to appoint a public agency or a nonprofit organization as a receiver for properties violating building codes. The receiver can make repairs, collect rents and place liens on the property to pay for the repairs, and acquire the property through foreclosure if the liens are unpaid. Receivership usually takes less time to implement than eminent domain.

Property tax foreclosures. In some states, property foreclosures and sales for delinquent property taxes have been effective for transferring abandoned buildings to new owners who will rehabilitate them. In California, property taxes must be delinquent five years before foreclosure begins. The sale process generally requires an additional year. The City has the right of first refusal to buy tax delinquent properties.

ACTION 3.12.5: REPAIR BY CITY WITH LIENS.

Investigate amending the Housing Code to allow the City to correct violations and place liens on substandard or public nuisance properties.

Occasionally, the City will order buildings vacated for relatively easy to correct code violations, such as heating systems which are unable to maintain a 70°F temperature. The vacations are usually ordered because under the Housing Code, the City has no other way to force repairs.

Direct City correction of code violations accompanied by a lien should be considered as an alternative.

ACTION 3.12.6: SUBSTANDARD AND PUBLIC NUISANCE HISTORIC PRESERVATION ABATEMENT PROCEDURES AND CRITERIA.

Develop criteria and procedures for determining under what circumstances the City would either (a) repair and lien an existing or Potential Designated Historic Property declared substandard or public nuisance, (b) acquire the property, using eminent domain if necessary, or (c) take other direct action. Consider an administrative abatement schedule for Housing Code violations to determine whether owners are progressing satisfactorily in correcting violations and whether, in the absence of satisfactory progress, the city should take further action.

The criteria for determining appropriate action for each property should be based on such factors as the property's historical or architectural importance; the ability and likelihood of the owner to rehabilitate the property; the property's condition and feasibility for rehabilitation; and, where the City would be providing rehabilitation loans, the extent to which the City would be willing to allow the loan to exceed the property's value after rehabilitation.

An administrative abatement schedule for Housing Code violations should also be investigated. Housing Code violations must be abated within 30 to 75 days after issuance of an abatement order. However, this time period is unrealistically short for properties requiring major rehabilitation. The 30 to 75-day limit is often, therefore, unenforced and, in the absence of a more reasonable alternative time standard, excessively slow rates of rehabilitation progress are sometimes tolerated. In these cases, an administrative abatement schedule could be used to determine whether rehabilitation is proceeding satisfactorily and at what point the City should directly initiate repair or acquisition of a property or take other action.

POLICY 3.13: SECURITY OF VACANT PROPERTIES.

Vacant or abandoned existing or Potential Designated Historic Properties shall be adequately secured in order to prevent unauthorized entry, theft, or property damage.

When vacant or abandoned buildings are inadequately secured, they usually deteriorate rapidly and are eventually destroyed (see Policy 3.12 discussion). The City has programs to secure vacant buildings, but these programs have often been inadequate to prevent building damage.



Owner-installed building security measures which the City has considered acceptable are often ineffective, create blight, and attract vandals, arsonists and other criminals.

ACTION 3.13.1: SECURITY PROCEDURE STUDY.

Review and revise where appropriate, existing security procedures and methods for both City-owned and privately-owned properties.

Additional security measures which the City might consider include:

- (a) acting promptly to secure at least the most important existing and Potential Designated Historic Properties;

- (b) using dependable locks on doors and windows and ensuring that the doors and windows are kept closed and locked;
- (c) keeping premises free of trash and regularly trimming grass and shrubbery.
- (d) installing burglar alarms in the most important existing or Potential Designated Historic Properties;
- (e) removal and storage of valuable fixtures for safekeeping;
- (f) ensuring that fire alarms and fire sprinklers remain in service;
- (g) establishing a regular monitoring program of at least the most important secured properties to check for and discourage break-ins;
- (h) greater use of Police or Fire Department security orders to accelerate the building security process, which usually takes about 20 days;
- (i) continuing the operation of electrical systems (which are now ordered shut-off when buildings are vacated) so that lights can be left on and the building appears less abandoned (the U.S. Department of Housing and Urban Development uses this approach as an alternative to board-ups for vacant properties it acquires through foreclosures); and
- (j) erecting security fences, where necessary, without leaving gaps between fence sections and ensuring that fence gates are kept closed and locked.

POLICY 3.14: COMMERCIAL REVITALIZATION PROGRAMS.

The City will give special consideration to areawide commercial revitalization efforts which preserve or enhance significant numbers of existing or Potential Designated Historic Properties.

Since the 1970s, the City's Office of Economic Development and Employment has operated a Neighborhood Commercial Revitalization (NCR) program which includes assisting rehabilitation of commercial buildings. Projects funded under this program and similar areawide commercial assistance programs have generally not emphasized historic preservation, although many NCR projects have been located in potential Preservation Districts.

ACTION 3.14.1: HISTORIC PRESERVATION COMMERCIAL REVITALIZATION PROJECT IDENTIFICATION AND PROMOTION.

Identify those commercial areas, including areas in the Central District, having significant numbers of existing or Potential Designated Historic Properties and which may benefit from revitalization programs. As part of ongoing commercial revitalization efforts, encourage property owners and business people in these areas to investigate revitalization projects which preserve or enhance these properties.

The identification of areas having significant numbers of an existing or Potential Designated Historic Properties would be mostly based on the Reconnaissance and Intensive Surveys.

ACTION 3.14.2: CALIFORNIA MAIN STREET PROJECTS.

Investigate establishing California Main Street projects or similar projects.

The California Main Street Program is designed to revitalize traditional urban commercial centers based on historic preservation principals. The program's urban pilot program was especially designed for medium-size cities like Oakland (see Technical Report, Chapter 4, Section E.1.) Oakland has not yet participated in the program.

Under Action 3.14.2, such participation would be investigated as a regular option for each City-sponsored commercial revitalization project involving districts with significant numbers of existing or Potential Designated Historic Properties. For commercial areas interested in establishing a Main Street project, the City would assist owners and business people in submitting Main Street applications and in project operations.

OBJECTIVE 4: ARCHEOLOGICAL RESOURCES

To develop databases identifying existing and potential archeological sites and adopt procedures for protecting significant archeological resources.

POLICY 4.1: ARCHEOLOGICAL RESOURCES.

To protect significant archeological resources, the City will take special measures for discretionary projects involving ground disturbances located in archeologically sensitive areas.

Construction and other ground disturbance activities can damage or destroy archeological sites. Oakland and most other communities have generally relied on environmental review to protect them. If it is believed that a project or activity could damage significant archeological resources, mitigation measures are typically incorporated into the project as part of the environmental review process.

Archeological resources can be either "prehistoric" or "historic". Prehistoric archeological resources in Oakland are sites and artifacts associated with Oakland's original aboriginal inhabitants, while historic archeological resources relate to the early and mid-nineteenth century Spanish-Mexican period, the subsequent early phases of pioneer settlement, and development of early ethnic and social groups and industry.

Policy 4.1 seeks to protect both known and undiscovered archeological sites by requiring archeological protection procedures for discretionary ground disturbance activities located in archeologically sensitive areas. These procedures will include:

- (a) **Mapping areas possessing high prehistoric or historic archeological potential.**
- (b) **Archival studies for new development or other activities involving ground disturbance within areas of high archeological potential.** The archival studies and later site-specific investigations listed in steps (c)-(e) would be performed only for ground disturbance activities. If an archival study determines that resources may still exist, step (c) would be taken.
- (c) **Determination of whether the ground disturbance activity could damage archeological materials.**
- (d) **Surface reconnaissance by archeologist.** This step would only be necessary if, as determined by step (c), the proposed development involves ground disturbance to the depth of any possible remaining archeological materials.
- (e) **Subsequent actions.** If the results of the surface reconnaissance were positive, several options would be available. One option would be to have an archeologist observe the project excavation with authority to stop work for the conduct of further investigations if archeological materials appear. Another option would be to perform limited archeological excavations prior to construction to determine more conclusively whether archeological materials are present.

ACTION 4.1.1: ARCHEOLOGICAL SENSITIVITY STUDY.

Conduct a Citywide archeological sensitivity study to identify which portions of the City and which types of specific sites are sufficiently likely to contain significant archeological materials to warrant further site-specific investigations.

A citywide study would be the most efficient way for conducting step (a) under Policy 4.1 above. The study would require an archeological consultant and funding sources would need to be identified.

ACTION 4.1.2: ARCHEOLOGICAL PROTECTION CRITERIA AND PROCEDURES.

Establish criteria and interdepartmental referral procedures for determining when discretionary City approval of ground-disturbing activities located in archeologically sensitive areas should be subject to special conditions to safeguard potential archeological resources.

The criteria and procedures could follow the steps listed above under Policy 4.1. The procedures should be coordinated by the City Planning Department since it is responsible for environmental review and archeological assessments are usually part of environmental review. The referral procedure would advise other City departments when projects should be referred to the City Planning Department for archeological assessment.

Chapter 6: INFORMATION AND EDUCATION

OBJECTIVE 5: INFORMATION AND EDUCATION

To provide and encourage informational and educational programs to enhance public and City staff appreciation of older properties and increase the level of technical knowledge.

A historic preservation program is most effective with broad community support and basic technical historic preservation knowledge among property owners, developers and City staff.

The following policy and its related actions seek to promote this support and knowledge through marker programs, publications and other informational activities, and by better coordination of historic preservation information by City staff.

POLICY 5.1: INFORMATION AND EDUCATION.

The City will sponsor, and encourages others to sponsor, research and education programs and other activities which disseminate information on older properties and areas in Oakland, increase public appreciation of these properties and areas, and promote their preservation.

For these informational activities to be effective, a cooperative, communitywide effort will often be necessary. For example, support and participation by such groups as the Association of Realtors, Oakland Heritage Alliance, the Chamber of Commerce, neighborhood business organizations, and the Apartment House Association can help ensure that preservation information reaches investment property owners and developers.

Similarly, participation by neighborhood organizations will assist dissemination of information to residents.

ACTION 5.1.1: MARKER PROGRAM.

Establish a plaque or marker program for significant older properties including but not necessarily limited to Landmarks and Preservation Districts.

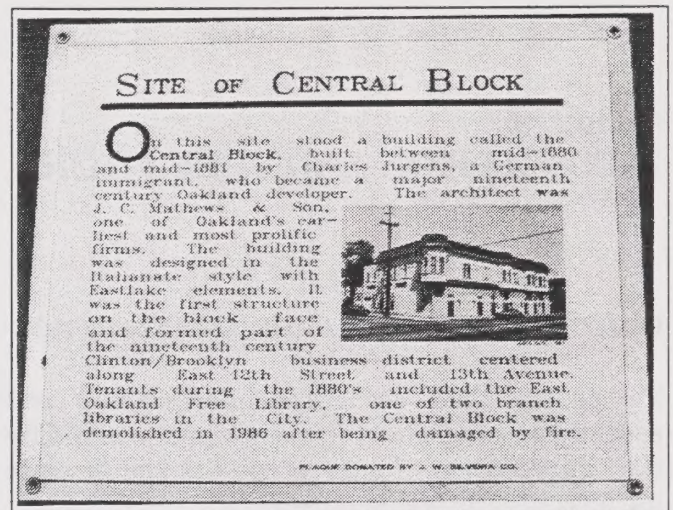
The markers would give basic information on the property, such as when it was built, who built it, and why it is significant. Markers made of material such as electrochemically etched aluminum alloy can easily and inexpensively include graphic information such as old photographs of the property or of persons or events related to the property.

Markers can greatly increase public awareness and appreciation of significant older properties by introducing these properties and their role in the history of the community to passersby who would normally not have this information. Markers can also support efforts to promote tourism or revitalize business districts. The very existence of markers shows that a community values its heritage and promotes a sense of stability, continuity, and civic pride.

Although Landmarks should have high priority for markers, markers should also eventually be installed within Preservation Districts and for the more important properties and areas identified by the Intensive Survey. Priority might also be given to markers located along walking tour or guidebook routes (see Action 5.1.6 discussion).

An attractive marker can usually be manufactured for less than \$100.00 plus design and installation costs and costs for any special features, such as pedestals. Funding for markers could be raised, at least in part, from private donors, including business and service organizations, with the donor's name included on the marker.

A prototypical plaque design has already been developed by the Landmarks Board, but may need refinement. The design should also be confirmed by the City Planning Commission and by City Council resolution and endorsed by any groups willing to help fund the program.



Marker for Site of Central Block, 1102 East 12th Street. Oakland Landmark No. 60. Installed in 1990 by the Landmarks Board and property owner as a prototype for a citywide Landmark plaque program.

ACTION 5.1.2: PRESENT LANDMARK CERTIFICATES AT CITY COUNCIL.

Enhance the publicity and prestige of Landmark designations by initiating a practice of presenting Landmark certificates to property owners at City Council meetings following designations.

The certificate program is described in the Technical Report, Chapter 4, Section F.2. Property owners are now asked to pick up the certificates from the City Planning Department.

ACTION 5.1.3: PRESERVATION DISTRICT CERTIFICATES.

Expand the existing Landmark certificate program by issuing certificates to properties contributing to Preservation Districts.

Certificates are presently not awarded to Preservation Districts.

ACTION 5.1.4: HERITAGE PROPERTY CERTIFICATES.

Amend the existing certificate of merit program by awarding the certificates to Heritage Properties and renaming them Heritage Property certificates.

As discussed in the Technical Report, Chapter 4, Section F.4, certificate of merit criteria are not well defined.

ACTION 5.1.5: DISSEMINATION OF HISTORICAL AND ARCHITECTURAL INVENTORY.

Improve community dissemination of Historical and Architectural Inventory results. Notify owners of Intensive Survey results for properties receiving existing or potential ratings of A, B or C or found to contribute or potentially contribute to an Area of Primary or Secondary Importance.

Most Oaklanders are not aware that the Inventory exists. Action 5.1.5 will also help integrate the Inventory with other community planning activities.

ACTION 5.1.6: WALKING TOURS AND GUIDEBOOKS.

Continue support and sponsorship of existing walking tour programs. Develop additional walking tours, guidebooks, and other publications based on the Intensive Survey and on other information sources.

Walking tours of historically or architecturally significant Oakland neighborhoods are already being conducted by the Oakland Tours Program, Oakland Heritage Alliance, the Art Deco Society and other groups (see Technical Report, Chapter 4, Section G.7). The City should continue its sponsorship of the Oakland Tours Program and consider developing additional tours in cooperation with other groups, especially as new areas are completed by the Intensive Survey. Guidebooks could supplement the tours.

Developing the walking tours and guidebooks in consultation with the Chamber of Commerce, the Oakland Convention and Visitors Bureau, the Oakland Association of Realtors, and other business organizations should be investigated. These groups may find them useful promotions and may help with funding.

ACTION 5.1.7: IMPROVE HISTORIC PRESERVATION INFORMATION AVAILABILITY WITHIN CITY DEPARTMENTS.

- (a) Improve the availability of historic preservation information to relevant City departments, including the Building Services Department, the Office of Community Development, the Code Compliance Division, the Office of Economic Development and Employment, the Office of Marketing and Public Information, the Office of Parks and Recreation, and the Office of General Services and to members of the public who work with these departments.
- (b) Consider a historic preservation coordinator . Consider incorporating Designated Historic Properties and the Historical and Architectural Inventory database into the proposed citywide land use database.

Projects involving significant older properties often involve design, construction or building code issues requiring the knowledge of historic preservation specialists. City staff members who work with projects and programs impacting these properties often have only limited historic preservation knowledge and are often unable to adequately advise developers and the public of historic preservation considerations.

A historic preservation coordinator or officer could improve the availability of historic preservation information to City departments and the public. The coordinator would provide information on such subjects as the Historical and Architectural Inventory, preservation regulations and assistance programs, building code issues related to historic preservation, and appropriate design techniques.

A citywide land-use database is now being investigated. The coordinator's functions would be facilitated by incorporating historic property designations and the Historical and Architectural Inventory database (Action 1.1.3) into the land-use database.

ACTION 5.1.8: DESIGN ASSISTANCE AND REFERRAL.

Develop and support design assistance and referral services for older properties which promote retention of Character-Defining Elements.

These services would expand the project-related development and design assistance provided under Action 3.6.2. into a more general and proactive informational program, that would not be limited just to project applicants.

ACTION 5.1.9: PRESERVATION TRADE FAIRS.

Sponsor preservation trade fairs.

The trade fairs would extend Action 5.1.8's design assistance programs into the broader community. The fairs could be held once a year, or on some other regular basis, and could invite preservation craftspeople, designers, and suppliers to display and demonstrate their products and services.

ACTION 5.1.10: REHABILITATION TRAINING AND APPRENTICESHIP PROGRAMS.

Develop and support rehabilitation training and apprentice programs for older properties emphasizing techniques for retaining or restoring Character-Defining Elements.

Because historic preservation rehabilitation is labor intensive, it is well suited for addressing Oakland's unemployment. Similar programs exist in other cities, often in cooperation with local labor organizations.

The Oakland Unified School District and Peralta College District have offered courses on new construction. The City should encourage the Districts to also provide courses on building rehabilitation.

ACTION 5.1.11: OAKLAND HISTORY AND ARCHITECTURE CURRICULUM IN THE PUBLIC SCHOOLS.

Support the Oakland Unified School District's efforts to develop Oakland history, geography and architecture curriculum in the public schools.

The school district has been investigating establishment of such a curriculum. The City could support this effort through a City Council resolution or similar action formally endorsing the curriculum and by making materials from the Intensive Survey, the Oakland History Room of the Oakland Public Library, and walking tour and guidebook programs available to the District.

ACTION 5.1.12: CITY RECORDS MANAGEMENT AND ARCHIVES PROGRAM.

Establish a City records management and archives program.

The City has records and other documents needed to research older properties and to prepare applications for Landmark, National Register and other historic property designations. These records are now often difficult to use. They include: original building plans and permits; old photographs, maps, tax assessment rolls and block books; and contracts and other documents for the construction of City facilities. The records are now scattered among such departments as the City Clerk, the Oakland Museum, the Office of Public Works, the Code Compliance Section, the Library's Oakland History Room, the City Planning Department and the Fire Department. Some records are in disarray and virtually inaccessible, even to staff. Some are poorly stored and deteriorated due to combinations of age, moisture, extreme temperatures and frequent handling.

There is no complete listing or inventory of records, making it difficult for potential users to know they exist.

To help address these and other deficiencies, the City Clerk's Office is working with other City departments to develop a City records management and archives program. a Friends of the Archives Committee is being established to promote public participation in the program.

Structuring the program to accommodate unwanted records from other agencies should be considered for records important to the City of Oakland for historic property research or other purposes. The City Planning Department has already acquired old Alameda County tax assessment records relevant to Oakland to assist the Historical and Architectural Inventory.

ACTION 5.1.13: REHABILITATION PUBLICATIONS.

Continue, and update where necessary, existing City sponsored rehabilitation publications and encourage their distribution. Initiate new publications as appropriate.

Existing publications include the award-winning books Rehab Right and Retrofit Right. Rehab Right reviews maintenance and rehabilitation issues common to old houses and recommends cost-effective ways to address these issues consistent with historic architectural character. Retrofit Right identifies effective energy conservation measures which maintain the architectural integrity of old houses and discusses these according to architectural style.

The City should establish ways to periodically update both publications, as needed, and to make them available free or at reduced cost to at least low-income Oakland residents. Translations of both Rehab Right and Retrofit Right into Spanish and Chinese should be investigated. At one time, copies of Rehab Right had been distributed by the City's Office of Community Development to residential rehabilitation loan applicants. Resumption of this practice should be considered.

A version of Rehab Right for commercial buildings should be investigated. Also useful would be a free handout promoting building rehabilitation methods and listing sources of technical advice to property owners and developers.

ACTION 5.1.14: DESIGN AND CONSTRUCTION BOOKSTORE.

Consider establishing a design and construction bookstore at the Office of Planning and Building's Central Permit Counter that would sell preservation-related publications.

The Office of Planning and Building is investigating such a bookstore at the Central Permit Counter. The store would sell copies of the Uniform Building Code, related codes, and other design and construction publications. Including preservation-related design and construction publications in the store's inventory should be considered. Examples include the State Historical Building Code, Rehab Right and Retrofit Right (see Action 5.1.13) and technical publications by the National Trust for Historic Preservation, the California Preservation Foundation and the National Park Service's Technical Preservation Services Division.

Chapter 7: ACTION PROGRAM

The Historic Preservation Element has 66 actions. Implementing all of them will be ambitious and will probably take years to complete.

The City's "Action Program" for completing the actions is set forth in Table 7-1. The table divides the actions into four priority groups, states the "priority factors" determining the groups and, in a "comments" column, discusses the priority factors further and identifies some of the specific implementation issues to be considered for each action. To facilitate reference, Table 7-2 lists the actions in numerical order showing the priority group for each.

The "Implementing Organization" column identifies City departments or other organizations with primary responsibility for completing each action. The Office of Planning and Building, Comprehensive Planning Division will have overall responsibility for coordinating the Action Program's completion and for monitoring the progress of other organizations with primary responsibility for implementing specific actions. The Comprehensive Planning Division should be assisted by the Landmarks Preservation Advisory Board and the Board's staff in performing these functions. The Board should also assist identification of future changes to the Action Program and to the Element itself as the need for changes becomes apparent.

For further discussion of implementation issues, see the text accompanying each action in Chapters 3-6 and in the corresponding chapters of the Technical Report.

The Element's 66 actions are distributed among the four priority groups as follows:

Priority Group 1	22
Priority Group 2	29
Priority Group 3	11
Priority Group 4	4
TOTAL	66

Within Priority Group 1, three actions (1.1.1, 1.1.3, and 1.2.1) have already been started as part of the Oakland Cultural Heritage Survey and Action 5.1.12 has been started by the City Clerk's Office. An additional action (3.9.1) will be part of the Oakland General Plan's Land Use Element and is probably the most ambitious. Eleven Priority Group 1 actions relate to Objective 2 (Preservation Incentives and Regulations) and should be implemented as a package. Two Priority Group 1 actions (5.1.2 and 5.1.3) will probably be very easy to implement.

Within Priority Group 2, some actions are listed together because they relate to the same subject (e.g. Housing Code compliance), have the same implementing organization (e.g. OHND or OEDE) or are variations of each other and require special expertise (e.g. design guidelines).

Priority Group 1 includes all actions which are considered to have "windows of opportunity" because of either availability of special funding, significant public or staff support, or linkage opportunities with other projects or studies.

Implementation of the four priority groups will probably overlap: once significant work (but not all work) has been completed on a particular group, work on the next highest priority group will begin. Work on some actions (e.g. Action 3.9.1) may be spread over several years and could overlap all the groups.

Future changes to the priority group assignments may be made by staff, but only after the City Planning Commission and Landmarks Preservation Advisory Board have been given an opportunity to comment on the changes. The Commission could also refer the changes to the City Council for direction. These changes will not require formal amendments to the Historic Preservation Element nor to other Oakland General Plan components.

TABLE 7-1: HISTORIC PRESERVATION ELEMENT ACTION PROGRAM
Priority Group 1

ACTION			Implementing Organization ¹	Products	Priority Factors							Estimated Time Needed to Implement (Months) ²	Comments
Number	Title	See Page			Preservation Impact ³	Time Urgency			Implementation Constraints		Other ⁴		
						Prerequisite to Other Actions	Photo Action Required	Window of Opportunity ⁵	Funding ⁶	Other ⁷			
OBJECTIVE 1 ACTIONS: IDENTIFYING PROPERTIES POTENTIALLY WARRANTING PRESERVATION													
1.1.1	Complete the Reconnaissance Survey	3-3	OPB-CP	Field maps & notes; photos; photo index.	○	✓		✓	\$			36	Critical priority -- needed to fully implement most other actions. Already started; field maps and notes to be complete September, 1994; other products by September 1996; federal matching grants available. OSP action step (p. 48).
1.1.3	Database, lists and maps of Reconnaissance and Intensive Survey results	3-3	OPB-CP	Database; property lists & maps	○	✓	1.1.1	✓	\$			24	Requires Action 1.1.1's raw data; can be concurrent with remainder of Action 1.1.1. Already started; Reconnaissance Survey database to be completed September 1994; other products by September, 1995. Prerequisite to or concurrent with Action 1.2.1.
1.2.1	List of Potential Designated Historic Properties	3-4	OPB-CP	List	○	✓	1.1.3	✓	\$			18	Can be a product of and concurrent with Action 1.1.3. OSP action step (p.48). Prerequisite to most Objective 3 actions.
OBJECTIVE 2 ACTIONS: PRESERVATION INCENTIVES AND REGULATIONS													
2.1.1	Amend zoning text to incorporate new preservation incentives and regulations	4-2	OPB-CP	Revised zoning text; adminis. guidelines	●	✓	2.3.1	✓	\$			12	Should be concurrent with all other Priority 1 actions related to Objective 2 -- preservation incentives and regulations should be implemented as a package. Appears to have significant public support at this time. OSP action step (p.28).
2.3.1	Criteria for designation of Landmarks over owner objections	4-8	OPB-CP	General Plan amendment and/or zoning text changes	●	✓		✓	○			2	Prerequisite to or concurrent with Action 2.1.1. See Action 2.1.1 comments.
2.6.1	Mills Act contracts	4-25	OPB-CP	A.I. (procedure and contract format); fiscal impact analysis	●				\$			6	This and Action 2.6.3 are probably the most significant incentives. Will require assistance from Office of Finance (for fiscal impact analysis) and City Attorney. OSP action step (p.48) See Action 2.1.1 comments.
2.6.2	Conservation easements	4-25	OPB-CP	A.I. (including procedure, easement recordation format & criteria for easement boundaries).	●				○			6	Requires assistance from Real Estate Division and City Attorney. See Action 2.1.1 and 2.6.1 comments.
2.6.3	Transferable development rights	4-26	OPB-CP	Zoning text changes; TDR marketplace.	●				\$			12	See Action 2.1.1 comments. Could be phased -- establishment of TDR marketplace could follow zoning text changes and concurrent Priority 1 Actions. May require assistance of Real Estate Division or Assoc. of Realtors to establish marketplace.
2.6.4	Limit to Landmarks and Preservation Districts existing zoning provisions conditionally permitting additional uses in historic buildings	4-26	OPB-CP	Zoning text changes	●				○			3	See Action 2.1.1 comments
2.6.5	Broader range of conditionally permitted uses for Landmarks and Preservation Districts in certain zones	4-27	OPB-CP	Zoning text changes	●				○			6+	Could be protracted if neighborhood opposition occurs within zones identified for broader range of uses. See Action 2.1.1 comments.
2.6.9	Waivers and reductions of permit fees	4-29	OPB	Master Fee Schedule revisions.	●				\$			6+	Identification of replacement revenue source required. May need to be timed to coincide with annual Master Fee Schedule revision. OSP action step (p.48). See Action 2.1.1 comments.
2.6.10	Apply State Historical Building Code to Designated Historic Properties and other qualified historical buildings	4-29	OPB-BS	A.I.	●	✓			○	X		3	Prerequisite to Actions 2.6.11 and 2.6.12. May require training of Building Services (incl. Code Compliance) staff to become familiar with SHBC. OSP action step (p.48). See Action 2.1.1 comments.
2.6.11	State Historical Building Code information sheet	4-30	OPB	Brochure	○		2.6.10		○			1	Should be simple once Action 2.6.10 is complete. See Action 2.1.1 comments.

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Notes: ¹ Refers to organization with primary responsibility for implementation. Organizations with secondary responsibility are indicated in the comments.

² Preservation impact: ● = Major - direct ○ = Major - indirect ● = Minor - direct ○ = Minor - indirect

³ Refers to current opportunities such as: availability of special funding; significant public support; linkage opportunities with other projects or studies. Applicable to Priority Group 1 only.

⁴ Refers to funding for both staff and materials: ○ = minimal; \$ = moderate; \$\$ = significant.

⁵ Other implementing constraints include: (a) special expertise not presently available to the City, and (b) need for significant interorganizational cooperation.

⁶ Indicated time is from date work begins on action item. Assumes all necessary staff, funding, and other resources are available and that all necessary prerequisite actions are complete.

⁷ There are no Objective 4 actions in Priority Groups 1, 2 or 3 -- see Priority Group 4.

TABLE 7-1: HISTORICAL PRESERVATION ELEMENT ACTION PROGRAM (continued)
Priority Group 1 (Continued)

ACTION			Imple- menting Organ- ization ¹	Products	Priority Factors							Estimated Time Needed to Implement (Months) ³	Comments
					Preservation Impacts ²	Time Urgency			Implemen- tation Constraints				
Number	Title	See Page				Pre- requisite to Other Actions	Prior Action Required	Window of Opportunity ⁴	Funding ⁵	Other ⁶			
OBJECTIVE 3 ACTIONS: HISTORIC PRESERVATION AND ONGOING CITY ACTIVITIES													
3.2.2	Historic preservation management procedure for City-owned properties	5-2	CM	A.I.	•		1.2.1		\$	X	12	Requires participation by City departments (OGS, OPR, City Architect, etc.) responsible for design and operation of City facilities.	
3.5.2	Standard conditions for discretionary permit approvals	5-5	OPB-CP/BS	OPB SOP	●				¢	X	2	Applies to discretionary permits issued by the City Planning and Building Services Departments. Could favorably impact large nos. of DHPs and DPHPs. Requires staff training and a monitoring procedure.	
3.8.1	Include historic preservation impacts in City's Environmental Review Regulations	5-11	OPB-CP	CEQA Thresholds of Significance	○				¢		3	Could favorably impact large nos. of DHPs and DPHPs. Could be either part of the Environmental Review Regulations themselves, a Regulations Appendix or a CPC-adopted guideline.	
3.9.1	Rezoning studies and possible zoning text changes to promote consistency with existing or eligible Preservation Districts.	5-12	OPB-CP	Land Use Element amendments; Zoning map & text changes	●		1.2.1	✓	\$	X	60	Probably the most ambitious of all the actions, but also among those with the greatest preservation impact. Specific proposals should be developed as part of the new Land Use Element (already budgeted) and implemented along with other Land Use Element proposals.	
3.10.1	Review and possible amendment of emergency response documents	5-13	CM-OES; OPB-BS	Amendments to Oakland General Plan Safety Element, Emergency Plan, Departmental Operations Manuals and Earthquake Repair Ordinance; OPB-BS SOP.	•			✓	\$	X	36	Already started as part of OFD Emergency Services Division's amendments to the Emergency Plan and preparation of Departmental Operations Manuals. Should also be developed as part of the new Safety Element (already budgeted). OPB-BS SOP will be mostly applicable to post-earthquake responses.	
OBJECTIVE 5 ACTIONS ⁷ : INFORMATION AND EDUCATION													
5.1.2	Present Landmark certificates at City Council meetings	6-2	M/Cncl.	A.I.	○				¢		2	Easy to implement. OSP action step (p.49).	
5.1.3	Preservation District certificates	6-2	OPB-CP	Certificate design	○				¢		2	Easy to implement.	
5.1.12	City records management and archives program.	6-5	C.Cik	Records inventory and retention schedules; Archival Holdings Manual; Policies and Procedures Manual	○			✓	\$	X	24	Already started. Also involves participation by City Auditor, City Attorney, Office of Finance, Library and OCIS. Needs additional interaction with OPB, OPW, Library's Oakland History Room and Museum.	
5.1.14	Design and construction bookstore	6-6	OPB-Op	Bookstore	○			✓	\$		12	Already planned for implementation during 1993-94.	

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⁵ Other implementing constraints include: (a) special expertise not presently available to the City, and (b) need for significant interorganizational cooperation.

⁶ Indicated time is from date work begins on action item. Assumes all necessary staff, funding, and other resources are available and that all necessary prerequisite actions are complete.

⁷ There are no Objective 4 actions in Priority Groups 1, 2 or 3 - see Priority Group 4.

TABLE 7-1: HISTORICAL PRESERVATION ELEMENT ACTION PROGRAM (continued)
Priority Group 2

Number	ACTION Title	See Page	Implementing Organization ¹	Products	Priority Factors							Comments
					Preservation Impact ²	Time Urgency			Implementation Constraints		Estimated Time Needed to Implement (Months) ³	
					Prerequisite to Other Actions	Prior Action Required	Window of Opportunity ⁴	Funding ⁵	Other ⁶			
OBJECTIVE 1 ACTIONS: IDENTIFICATION OF PROPERTIES POTENTIALLY WARRANTING PRESERVATION												
1.1.2	Long range plan for completing the Intensive Survey	3-3	OPB-CP	Priority list of property types and areas; schedule; funding sources.	○		1.1.1	○			6	Estimated time and funding does not include the Survey itself, which could take a number of years. OSP action step (p.48).
1.1.4	Process for updating the Surveys	3-4	OPB-CP	Written procedure	○			○			6	Estimated time and funding does not include the updating process itself which will follow and be ongoing.
OBJECTIVE 2 ACTIONS: PRESERVATION INCENTIVES AND REGULATIONS												
2.1.2	Redesignate existing Landmarks and Preservation Districts. Reclassify existing preservation study list properties as Heritage Properties.	4-3	OPB-CP	Redesignations and reclassifications.	●		2.1.1	\$			24	Responding to owner comments and concerns may require considerable time. Does not include final disposition of any interim or provisional Heritage Property designations. OSP action step (p.28)
2.2.1	Guidelines for determination of Preservation District eligibility.	4-3	OPB-CP	Amendments to LPAB Rules of Procedure.	○		2.1.1	○			3	Should be adopted by CPC as well as the LPAB.
2.4.1	Landmark and Preservation District design guidelines.	4-18	OPB-CP	CPC "100" series publication.	●			\$	x		24	Should be packaged with all other design guidelines (Actions 3.5.1, 3.7.1 and 3.11.2). Needs a preservation architect (not now on staff). May need consultant.
2.6.6	City development assistance priority to historic preservation projects involving Designated Historic Properties.	4-28	OEDE; OHND	A.I.; SOPs	●		2.1.1	○	x		6	Should be concurrent with Action 3.6.1. Would have been in Priority Group 1's Objective 2 action package had phasing permitted. Requires participation by City departments (OEDE, OHND) responsible for development assistance programs.
2.6.7	Historic preservation revolving fund.	4-28	OEDE; OHND	Reports to CPC and CC; fund established by CC and/or ORA resolution.	●		2.1.1	\$	x		6	See Action 2.6.6 comments. Funding sources need to be determined.
2.6.8	Marks bonds.	4-28	OEDE	Reports to CPC and CC; bond program established by CC resolution.	●		2.1.1	\$	x		24	See Action 2.6.6 comments. Could require significant staff time to set up. Indicated funding requirement does not reflect funds generated by the bonds themselves. OSP action step (p.49).
2.6.12	State Historical Building Code interpretations.	4-30	OPB-BS	SOP; Code Interpretation Bulletins.	○		2.6.10	○			6	Code Interpretation Bulletins for the most significant SHBC issues should be issued concurrently with the SOP. Subsequent bulletins not reflected in estimated implementation time.
OBJECTIVE 3 ACTIONS: HISTORIC PRESERVATION AND ONGOING CITY ACTIVITIES												
3.3.2	Definition of small-scale projects exempt from Policies 3.3 and 3.6 and Action 3.3.1.	5-3	OPB-CP	Part of A.I.s & SOPs for Actions 3.3.1 and 3.6.1.	○	✓			○		3	Prerequisite to or concurrent with Actions 3.3.1 and 3.6.1. Also involves OEDE and OHND.
3.4.1	Ordinance for acquisition by eminent domain.	5-4	OPB-CP	Ordinance	●				○		6	Concurrent with Action 3.4.2. Requires assistance from City Attorney, OEDE and OHND. Could favorably impact high-profile DHPs and PDHPs.
3.4.2	Procedures and criteria for historic preservation property acquisitions.	5-4	OPB-CP	A.I.	●				○		6	See Action 3.4.1 comments. Requires assistance from Real Estate Division, OEDE and OHND.
3.5.1	Design guidelines for discretionary permit approvals.	5-5	OPB-CP	CPC "100" series publication.	●		1.2.1	\$	x		24	See Action 2.4.1 comments. Very high priority action within Priority Group 2. Could favorably impact many PDHPs due to the large numbers of discretionary permits. Action 1.2.1 PDHP list needed due to the large numbers of discretionary permits to review.
3.6.1	Evaluation and selection procedures for City-sponsored or assisted projects.	5-7	CM	A.I.; SOPs.	●		1.2.1	\$	x		6	Should be concurrent with Action 2.6.6. Very high priority action within Priority Group 2. Could favorably impact large numbers of DHPs and PDHPs due to the large numbers of City sponsored or assisted projects. May require significant staff time to set up. Requires participation by City departments responsible for City sponsored or assisted projects (OPW City Architect, OGS, OEDE, OHND, OPR, etc.). Action 1.2.1 PDHP list needed due to the potentially large numbers of City sponsored or assisted projects to review. A.I. could be amendment to existing A.I. 3002. OSP action step (p.48).
3.7.1	Property relocation procedures and design guidelines for all projects.	5-9	OPB-CP	A.I.(procedure); CPC "100" series publication (design guidelines).	○	✓			○		6	Procedure preparation will involve OEDE and OHND. Action 2.4.1 comments apply to design guidelines. Prerequisite to Action 3.7.2.

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⁶ Indicated time is from date work begins on action item. Assumes all necessary staff, funding, and other resources are available and that all necessary prerequisite actions are complete.

⁷ There are no Objective 4 actions in Priority Groups 1, 2 or 3 - see Priority Group 4.

TABLE 7-1: HISTORICAL PRESERVATION ELEMENT ACTION PROGRAM (continued)
Priority Group 2 (Continued)

ACTION			Implementing Organization ¹	Products	Priority Factors						Estimated Time Needed to Implement/Months ³	Comments
Number	Title	See Page			Preservation Impact ²	Time Urgency			Implementation Constraints			
						Prerequisite to Other Actions	Prior Action Required	Window of Opportunity	Funding ⁴	Other ⁵		
OBJECTIVE 3 ACTIONS: HISTORIC PRESERVATION AND ONGOING CITY ACTIVITIES (continued)												
3.7.2	Property relocation procedures for City-sponsored or assisted projects.	5-9	CM	A.I.; SOPs	o		3.7.1		c	X	6	Requires participation by Real Estate Division, OPW City Architect, OPB; OEDE and OHND.
3.7.3	Building relocation assistance program.	5-9	OEDE, OHND, OPB-BS/CP/Op	Joint OPB, OEDE & OHND SOP.	•				c	X	6	Revolving fund cost would be minimal since building relocation loans would normally be short term and probably in frequent.
3.11.2	Design guidelines for building safety programs.	5-16	OPB-BS (incl. OPB-CC)	Joint HAAB & CPC "100" series publication.	○				\$	X	6	See Action 3.4.1 comments. Could favorably impact many DHPs and PDHPs.
3.12.1	Housing Code procedures and notices.	5-17	OPB-CC; OHND; OEDE	Report to CPC & HAAB; Housing Code amendments; joint OPB/OHND/OEDE SOP.	○				c	X	6	Should be packaged with all other Policy 3.12 actions. Could favorably impact many PDHPs. OEDE participation with this and other Policy 3.12 actions mostly limited to Blight Ordinance abatement of deteriorated nonresidential properties.
3.12.2	Incentives for returning vacant properties to service.	5-17	OPB-CC	Report to CPC & HAAB; Housing Code amendments.	○				c		3	Package with other Policy 3.12 actions. Could favorably impact many PDHPs.
3.12.3	Earlier property acquisitions.	5-18	OPB-CC; OHND; OEDE	See Action 3.12.1.	•	✓			c	X	3	Package with other Policy 3.12 actions. Prerequisite to or concurrent with Action 3.12.6.
3.12.4	Additional property acquisition and third-party transfer methods.	5-18	OPB-CC; OHND; OEDE	See Action 3.12.1.	○	✓			c	X	6	See Action 3.12.2 comments. Prerequisite to or concurrent with Action 3.12.6. Funding would be from existing OHND housing acquisition programs, OEDE programs and other sources.
3.12.5	Repair by City with liens.	5-19	OPB-CC; OHND; OEDE	See Action 3.12.1.	•	✓			c	X	6	See Action 3.12.3 comments. Funding would be from existing OHND housing rehab programs, OEDE programs, or Historic Preservation Revolving Fund (Action 2.6.7). Prerequisite to or concurrent with Action 3.12.6.
3.12.6	Substandard and public nuisance abatement procedures and criteria.	5-19	OPB-CC; OHND; OEDE	See Action 3.12.1.	○		3.12.3 3.12.4 3.12.5		c		12	See Action 3.12.2 comments. Very high priority action within Priority Group 2. Also involves Police Department.
3.13.1	Review existing security procedures and methods.	5-20	OPB-CC	Report to CPC. A.I.; SOP and revised standards.	●				\$		12	Very high priority action within Priority Group 2. Difficulty of the problem and wide range of security options could require significant staff time. Could favorably impact many PDHPs. Also involves Police and Fire Departments.
3.14.1	Historic preservation commercial revitalization project identification and promotion.	5-21	OEDE	Report to EDAC and CPC; SOP; publications.	○	✓	1.2.1	✓	\$/c		6	Should involve economic development hist. pres. specialist. May need consultant. Action 1.2.1 PDHP list will facilitate area identification. Prerequisite to Action 3.14.2.
GROUP 5 ACTIONS ⁷ : INFORMATION AND EDUCATION												
5.1.1	Marker program.	6-2	OPB-CP	CC resolution; SOP; initial plaques	○		--		\$		12	Probably the most cost effective way to create broad public support for historic preservation. Very high priority within Priority Group 2. Could ultimately help preserve many DHPs and PDHPs. Major potential role for LPAB; should also involve potential support groups (Convention and Visitors Bureau, Chamber of Commerce, merchants groups, service clubs, etc.); most funding could be private. Time est. is for program set-up and initial plaque installation; time for all potential plaques is much longer. OSP action step (p.51).
5.1.4	Heritage Property certificates.	6-3	OPB-CP	Certificate design	o		2.1.1		c		2	Easy to implement.
5.1.5	Dissemination of Historical and Architectural Inventory.	6-3	OPB-CP	Mail-outs of property lists and individual property information to community organizations and property owners. SOP for ongoing distributions.	○		1.2.1		\$		6	Needs Action 1.1.3 and 1.2.1 lists for effective dissemination. Costs are mostly for printing and mailing. Should also involve presentations to community groups. Time estimate is only for initial information distribution. Complements Action 5.5.1.
5.1.7	Improved historic preservation information availability within City departments. Possible Historic Preservation Coordinator.	6-4	OPB-CP	A.I.; report to CPC and CC on Hist. Pres. Coordinator; possible integration of hist. pres. information with citywide land-use database	○		1.2.1		\$/c		6	See Action 5.1.5 comments. Coordinator may require additional staff. OSP action step (p.49).

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TABLE 7-1: HISTORICAL PRESERVATION ELEMENT ACTION PROGRAM (continued)
Priority Group 3

ACTION			Implementing Organization ¹	Products	Priority Factors							Estimated Time Needed to Implement (Months) ³	Comments
Number	Title	See Page			Preservation Impact ²	Time Urgency			Implementation Constraints				
						Prerequisite to Other Actions	Prior Action Required	Window of Opportunity ⁴	Funding ⁵	Other ⁶			
OBJECTIVE 3 ACTIONS: HISTORIC PRESERVATION AND ONGOING CITY ACTIVITIES													
3.2.1	Designated Historic Property status for City-owned properties	5-2	OPB-CP	DHP eligibility determinations; possible DHP designations.	●				●		6	Number of City-owned eligible DHPs is expected to be small. OSP action step (p.49).	
3.3.1	City assistance contract provisions requiring Designated Historic Property status	5-3	OHND; OEDE	Revised contract formats	●		3.3.2		●		3	OSP action step (p.48).	
3.6.2	Development and design assistance for City-assisted projects involving existing or Potential Designated Historic Properties	5-7	OHND; OEDE	SOPs; revised informational publications.	○	✓			●	X	6	Prerequisite to or concurrent with Action 5.1.8. Could also be concurrent with Action 3.14.2. Needs a preservation architect and possibly special staff training; could favorably impact many DHPs and PDHPs. OSP action step (p.43).	
3.7.4	Building relocation permit regulations	5-10	OPB-BS/CP/Op	Report to CPC; possible Building Code amendments.	○				●		6	Requires participation by City Manager. Could be concurrent with Action 3.11.1.	
3.11.1	Review building codes and other documents related to building safety.	5-15	OPB-BS; OFD	Report to CPC; possible Building, Housing and Fire Code amendments.	○				●		9	Could be concurrent with Action 3.7.4. Could favorably impact large numbers of DHPs and PDHPs.	
3.14.2	California Main Street projects	5-21	OEDE	Report to EDAC and CPC; possible initiation of Main Street projects.	○				●	X	9	Needs a preservation architect and possibly a historic preservation economic development specialist. Feasibility depends on interest of property owners and business people. Funding could be from existing Neighborhood Commercial Revitalization program, state grants and/or other sources. Could be concurrent with Action 3.6.2.	
OBJECTIVE 5 ACTIONS ⁷ : INFORMATION AND EDUCATION													
5.1.6	Walking tours and guidebooks	6-3	Oakland Tours Program; OPB-CP	Report to CPC; new tours; guidebooks and other publications.	○				●/●		24	Should include participation by Convention and Visitor's Bureau, business groups, Oakland Heritage Alliance and Art Deco Society. Cash and in-kind contributions could provide some or all of needed funding.	
5.1.8	Design assistance and referral	6-4	OHND; OEDE; OPB	SOPs; provision of staff; informational publications.	○		3.6.2		●	X	6	Needs a preservation architect. Existing OPB and City Architect design staff may assist. Service should be promoted at OPB permit counters.	
5.1.10	Rehabilitation training and apprenticeship programs	6-4	School District; Peralta Colleges; private organizations	Report to CPC. Training courses and apprenticeship programs.	○				●/●	X	24	Participating private organizations may include Alameda County Labor Council and construction firms. Required funding will depend on how much existing programs can be used and on the level of private contributions. OSP action step (p.43).	
5.1.11	Oakland history and architecture curriculum in the public schools	6-5	School District	Report to CPC. Curriculum document.	○				●		18	Indicated funding assumes that no new faculty is needed. Could favorably impact large numbers of DHPs and PDHPs in the long term. OSP action step (p.49).	

Priority Group 4

OBJECTIVE 4 ACTIONS: ARCHEOLOGICAL RESOURCES												
4.1.1	Archeological sensitivity study	5-23	OPB-CP	Map and Commentary	○	✓		●	X	6		Needs consultant. Funding source needs to be identified. Prerequisite to Action 4.1.2.
4.1.2	Archeological protection criteria and procedures	5-23	OPB-CP	AI; SOPs	●		4.1.1	●	X	3		May require special staff training and a monitoring procedure. Could favorably impact large numbers of archeological properties.
OBJECTIVE 5 ACTIONS: INFORMATION AND EDUCATION												
5.1.9	Preservation trade fairs	6-4	To be identified	Report to CPC. Regularly scheduled trade fairs.	○			●	X	3		Broad attendance at the fairs could favorably impact large numbers of DHPs and PDHPs. Fair sponsors need to be identified.
5.1.13	Rehabilitation publications	6-6	OPB-CP	Updates of Rehab Right and Retrofit Right with possible Spanish and Chinese translations. Possible new publications.	○			●		12		Wide distribution of publications could favorably impact large numbers of DHPs and PDHPs. Possible funding sources include National Endowment for the Arts grants and, if commercially published, publisher's advances.

Abbreviations: AI = Administrative Instruction; CC = City Council; C/Clk = City Clerk; CM = City Manager; CPC = City Planning Commission; DHP = Designated Historic Property; EDAC = Economic Development Advisory Commission; HAAB = Housing Advisory and Appeals Board; LPAB = Landmarks Preservation Advisory Board; M/Cncl = Mayor/City Council; OCIS = Office of Corporate Information Services; OEDE = Office of Economic Development and Employment; OFD = Oakland Fire Department; OGS = Office of General Services; OHND = Office of Housing and Neighborhood Development; OPB = Office of Planning and Building; OPB BS = OPB Building Services Department; OPB-CC = OPB Code Compliance Division; OPB-CP = OPB City Planning Department; OPB-Op = OPB Operations Division; OPR = Office of Parks and Recreation; ORA = Oakland Redevelopment Agency; OSP = 1992 Oakland Strategic Plan ("Oakland - Sharing the Vision"); PDHP = Potential Designated Historic Property; SOP = Standard Operating Procedure.

Notes: ¹ Refers to organization with primary responsibility for implementation. Organizations with secondary responsibility are indicated in the comments.

² Preservation impact: ● = Major - direct ○ = Major - indirect ● = Minor - direct ○ = Minor - indirect

³ Refers to current opportunities such as: availability of special funding; significant public support; linkages opportunities with other projects or studies. Applicable to Priority Group 1 only.

⁴ Refers to funding for both staff and materials: ● = minimal; ● = moderate; ● = significant

⁵ Other implementing constraints include: (a) special expertise not presently available to the City, and (b) need for significant interorganizational cooperation.

⁶ Indicated time is from date work begins on action item. Assumes all necessary staff, funding, and other resources are available and that all necessary prerequisite actions are complete.

⁷ There are no Objective 4 actions in Priority Groups 1, 2 or 3 - see Priority Group 4.

**TABLE 7-2: PRIORITY GROUP ASSIGNMENTS FOR HISTORIC PRESERVATION ELEMENT
ACTIONS LISTED BY ACTION NUMBER**

<u>Priority Group</u>	<u>Action No.</u>	<u>Action Title</u>	<u>Hist. Pres. Element Page No.</u>
1	<i>Action 1.1.1:</i>	Complete the Reconnaissance Survey	3-3
2	<i>Action 1.1.2:</i>	Long range plan for completing the Intensive Survey	3-3
1	<i>Action 1.1.3:</i>	Database, lists and maps of Reconnaissance and Intensive Survey results	3-3
2	<i>Action 1.1.4:</i>	Process for updating the Surveys	3-4
1	<i>Action 1.2.1:</i>	List of Potential Designated Historic Properties	3-4
1	<i>Action 2.1.1:</i>	Amend zoning text to incorporate new preservation incentives and regulations	4-2
2	<i>Action 2.1.2:</i>	Redesignate existing Landmarks and Preservation Districts. Reclassify existing preservation study list properties as Heritage Properties	4-3
2	<i>Action 2.2.1:</i>	Guidelines for determination of Preservation District eligibility	4-3
1	<i>Action 2.3.1:</i>	Criteria for designation of Landmarks over owner objections	4-8
2	<i>Action 2.4.1:</i>	Landmark and Preservation District design guidelines	4-18
1	<i>Action 2.6.1:</i>	Mills Act contracts	4-25
1	<i>Action 2.6.2:</i>	Conservation easements	4-25
1	<i>Action 2.6.3:</i>	Transferable development rights	4-26
1	<i>Action 2.6.4:</i>	Limit to Landmarks and Preservation Districts existing zoning provisions conditionally permitting additional uses in historic buildings	4-27
1	<i>Action 2.6.5:</i>	Broader range of conditionally permitted uses for Landmarks and Preservation Districts in certain zones	4-27
2	<i>Action 2.6.6:</i>	City development assistance priority to historic preservation projects involving Designated Historic Properties	4-28
2	<i>Action 2.6.7:</i>	Historic preservation revolving fund	4-28
2	<i>Action 2.6.8:</i>	Marks bonds	4-28
1	<i>Action 2.6.9:</i>	Waivers and reductions of permit fees	4-29
1	<i>Action 2.6.10:</i>	Apply State Historical Building Code to Designated Historic Properties and other qualified historical buildings	4-29
1	<i>Action 2.6.11:</i>	State Historical Building Code information sheet	4-30
2	<i>Action 2.6.12:</i>	State Historical Building Code interpretations	4-30
3	<i>Action 3.2.1:</i>	Designated Historic Property status for City-owned properties	5-2
1	<i>Action 3.2.2:</i>	Historic preservation management procedure for City-owned properties	5-2
3	<i>Action 3.3.1:</i>	City assistance contract provisions requiring Designated Historic Property status	5-3
2	<i>Action 3.3.2:</i>	Definition of small-scale projects exempt from Policies 3.3 and 3.6 and Action 3.3.1	5-3

**TABLE 7-2: PRIORITY GROUP ASSIGNMENTS FOR HISTORIC PRESERVATION ELEMENT
ACTIONS LISTED BY ACTION NUMBER (continued)**

<u>Priority Group</u>	<u>Action No.</u>	<u>Action Title</u>	<u>Page No.</u>
2	<i>Action 3.4.1:</i>	Ordinance for acquisition by eminent domain	5-4
2	<i>Action 3.4.2:</i>	Procedures and criteria for historic preservation acquisitions	5-4
2	<i>Action 3.5.1:</i>	Design guidelines for discretionary permit approvals	5-5
1	<i>Action 3.5.2:</i>	Standard conditions for discretionary permit approvals	5-6
2	<i>Action 3.6.1:</i>	Evaluation and selection procedures for City-sponsored or assisted projects	5-7
3	<i>Action 3.6.2:</i>	Development and design assistance for City-assisted projects involving existing or Potential Designated Historic Properties	5-7
2	<i>Action 3.7.1:</i>	Property relocation procedures and design guidelines for all projects . . .	5-9
2	<i>Action 3.7.2:</i>	Property relocation procedures for City-sponsored or assisted projects	5-9
2	<i>Action 3.7.3:</i>	Building relocation assistance program	5-9
3	<i>Action 3.7.4:</i>	Building relocation permit regulations	5-10
1	<i>Action 3.8.1:</i>	Include historic preservation impacts in City's Environmental Review Regulations	5-11
1	<i>Action 3.9.1:</i>	Rezoning study and possible zoning text changes to promote consistency with existing or eligible Preservation Districts	5-12
1	<i>Action 3.10.1:</i>	Review and possible amendment of emergency response documents	5-13
3	<i>Action 3.11.1:</i>	Review building codes and other documents related to building safety	5-15
2	<i>Action 3.11.2:</i>	Design guidelines for building safety programs	5-16
2	<i>Action 3.12.1:</i>	Housing Code procedures and notices	5-17
2	<i>Action 3.12.2:</i>	Incentives for returning vacant properties to service	5-17
2	<i>Action 3.12.3:</i>	Earlier property acquisitions	5-18
2	<i>Action 3.12.4:</i>	Additional property acquisition and third-party transfer methods	5-18
2	<i>Action 3.12.5:</i>	Repair by City with liens	5-19
2	<i>Action 3.12.6:</i>	Substandard and public nuisance abatement procedures and criteria . . .	5-19
2	<i>Action 3.13.1:</i>	Review existing security procedures and methods	5-20

**TABLE 7-2: PRIORITY GROUP ASSIGNMENTS FOR HISTORIC PRESERVATION ELEMENT
ACTIONS LISTED BY ACTION NUMBER (continued)**

<u>Priority Group</u>	<u>Action No.</u>	<u>Action Title</u>	<u>Page No.</u>
2	<i>Action 3.14.1:</i>	Historic preservation commercial revitalization project identification and promotion	5-21
3	<i>Action 3.14.2:</i>	California Main Street projects	5-21
4	<i>Action 4.1.1:</i>	Archeological sensitivity study	5-23
4	<i>Action 4.1.2:</i>	Archeological protection criteria and procedures	5-23
2	<i>Action 5.1.1:</i>	Marker program	6-2
1	<i>Action 5.1.2:</i>	Present Landmark certificates at City Council meetings	6-2
1	<i>Action 5.1.3:</i>	Preservation District certificates	6-2
2	<i>Action 5.1.4:</i>	Heritage Property certificates	6-3
2	<i>Action 5.1.5:</i>	Dissemination of Historical and Architectural Inventory	6-3
3	<i>Action 5.1.6:</i>	Walking tours and guidebooks	6-3
2	<i>Action 5.1.7:</i>	Improving historic preservation information availability within City departments; possible Historic Preservation Coordinator	6-4
3	<i>Action 5.1.8:</i>	Design assistance and referral	6-4
4	<i>Action 5.1.9:</i>	Preservation trade fairs	6-4
3	<i>Action 5.1.10:</i>	Rehabilitation training and apprenticeship programs	6-4
3	<i>Action 5.1.11:</i>	Oakland history and architecture curriculum in the public schools	6-5
1	<i>Action 5.1.12:</i>	City records management and archives program	6-5
4	<i>Action 5.1.13:</i>	Rehabilitation publications	6-6
1	<i>Action 5.1.14:</i>	Design and construction bookstore	6-6

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Appendix B List of Figures

The following maps are included in the Historic Inventory: Figures 1-1 through 1-10. Additional maps are included in the Appendix B.

The following figures are included in the Historic Inventory: Figures 1-1 through 1-10. Additional maps are included in the Appendix B.

Figures 1-1 through 1-10 are included in the Historic Inventory. The maps are included in the Appendix B.

APPENDIX A: DEFINITIONS

Historic District: A group of buildings, structures, or objects that are of historic interest and are located in a specific area.

Historic Landmark: A building, structure, or object that is of historic interest and is located in a specific area.

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Appendix A: DEFINITIONS

The following terms are capitalized in the Historic Preservation Element and have the following meanings:

Area of Primary Importance (API). A historically or visually cohesive area or property group identified by the Reconnaissance or Intensive Surveys which usually contains a high proportion of individual properties with ratings of "C" or higher. At least two-thirds of the properties within an API must be contributory to the API, i.e. they reflect the API's principal historical or architectural themes.

Properties which do not contribute to the API because of alterations, but which would contribute if restored are considered noncontributors for purposes of the two-thirds threshold.

APIs appear eligible for the National Register of Historic Places either as districts or as historically-related complexes.

Area of Secondary Importance (ASI). Similar to Area of Primary Importance except that (1) an ASI does not appear eligible for the National Register of Historic Places and (2) altered properties which do not now contribute to the ASI but would if restored are counted as contributors for purposes of the two-thirds threshold.

Character Defining Element. Those features of design, materials, workmanship, setting, location, and association that identify a property as a representative of its period and contribute to its visual distinction or historical significance.

Designated Historic Properties. Defined in Policy 1.3 as Landmarks, contributors or potential contributors to Preservation Districts, or Heritage Properties.

Guidelines for Determination of Landmark Eligibility. These guidelines are already adopted by the Landmarks Preservation Advisory Board. Under Policy 2.2 properties receiving "A" or "B" Guidelines ratings are eligible as Landmarks.

Guidelines for Determination of Preservation District Eligibility. These guidelines do not presently exist, but will be developed and adopted under Action 2.2.1 for identifying areas and property groups eligible for Preservation District designation. Areas which have been identified as Areas of Primary or Secondary Importance by the Intensive Survey will be automatically considered eligible for Preservation District designation under the Guidelines.

Heritage Properties. Properties which under Policy 2.5 (Table 4-4) appear potentially eligible for Landmark or Preservation District designation because they either (1) have received an existing or contingency rating of "A" (Highest Importance), "B" (Major Importance), or "C" (Secondary Importance) from the Intensive Survey; (2) have received an existing or contingency rating of "A" or "B" from the Reconnaissance Survey; or (3) contribute or potentially contribute to any area potentially eligible for Preservation District designation.

Heritage Properties are designated by either the Landmarks Preservation Advisory Board or City Planning Commission, or provisionally by the Planning Director.

Under policy 2.5 (Table 4-5), demolition and removals of Heritage Properties and Specified Major Alterations may be postponed for up to 60 days by the Planning Director, with a possible 60-day extension.

Historical and Architectural Inventory. Defined in Policy 1.1 as an inventory of all properties and areas in Oakland evaluated in accordance with the rating

system in Table 3.1. The inventory consists of both the Reconnaissance Survey and the Intensive Survey.

Intensive Survey. Same as Oakland Cultural Heritage Survey.

Landmark. A property which has been designated as a Landmark by the City Council pursuant to the Rezoning and Law Change Procedure at Section 9500 of the Zoning Regulations. In order to be eligible as a Landmark, a property must receive an "A" or "B" rating under the Guidelines for Determination of Landmark Eligibility.

Policy 2.2 provides three classes of Landmarks. Class 1 Landmarks are rated "A" under the Guidelines and are on, are eligible for, or, as determined by the Intensive Survey methodology, appear eligible for the National Register of Historic Places. Class 2 Landmarks are either (1) rated "B" under the Guidelines and on or, as determined by the Intensive Survey methodology, appear eligible for the National Register, or (2) rated "A" under the Guidelines and not on nor, as determined by the Intensive Survey methodology, appear eligible for the National Register. Class 3 Landmarks are rated "B" under the Guidelines and are not on nor, as determined by the Intensive Survey methodology, appear eligible for the National Register.

Policy 2.4 and Table 4-1 do not permit demolition, removal, alterations or New Construction involving Class 1 or Class 2 Landmarks unless certain findings are made. For Class 3 Landmarks, demolition or removal may be postponed for up to 240 days and Major Alterations and New Construction are not permitted unless certain findings are made.

Landmarks are eligible for various preservation incentives listed in Policy 2.6.

Landmark Eligibility Guidelines. Same as Guidelines for Determination of Landmark Eligibility.

Local Register of Historical Resources. Defined in Policy 3.8 as all Designated Historic Properties and those Potential Designated Historic Properties that have an existing rating of "A" or "B" or contribute or potentially contribute to an Area of Primary

Importance. Until completion of Action 2.1.2 (Redesignation), the Local Register of Historical Resources also includes the following designated properties: Oakland Landmarks, S-7 Preservation Combining Zone properties, and Preservation Study List properties.

Major Alterations. Defined in Policy 2.3 (Table 4-2) as all alterations except Minor Alterations.

Minor alterations. Defined in Policy 2.3 (Table 4-2) as the following: (i) frequently changing elements such as signs, awnings, or paint colors which do not have any special historic, architectural, or other interest or do not obscure any existing Character-Defining Elements; (ii) nonhistoric site features such as nonhistoric fences and landscaping; and (iii) alterations and New Construction which are not part of a principal facade, not visible from street(s) fronting the property or from other public areas, and not part of a specially-designated interior. All other alterations are Major Alterations.

New Construction. Defined in Policy 2.3 (Table 4-2) as additions to existing facilities, and construction or establishment of any new facility on any Landmark or Preservation District vacant or developed parcel.

Oakland Cultural Heritage Survey. A comprehensive historical and architectural survey conducted by the City Planning Department since 1979. The Element refers to the Cultural Heritage Survey as the "Intensive Survey".

The Survey identifies and evaluates properties and areas dating from 1945 or earlier, plus selected post-1945 properties having obvious historical or architectural value. Detailed research is performed for all surveyed properties. After all data is collected, each property is evaluated using special Evaluation Sheets according to a five level (A-B-C-D-E) rating scale, and is assessed for National Register of Historic Places eligibility.

Areas, neighborhoods, or property groups which appear eligible for the National Register as districts or as historically related complexes are identified as Areas of Primary Importance (APIs). Areas, neighborhoods or property groups which do not

qualify as APIs, but which appear eligible for local Preservation District designation are identified as Areas of Secondary Importance.

Properties which appear eligible for the National Register either individually or as part of districts receive State Historic Resources Inventory Forms.

The Survey has completed several small selected areas throughout the City and all of the Central District, Adams Point and West Oakland.

Policy 1.2 uses the Survey as a basis for identifying properties which may warrant City-sponsored preservation efforts. Policy 2.5 (Table 4-4) uses the Survey as a basis for determining Heritage Property eligibility.

See Technical Report, Chapter 4, Section F.5.a.

Potential Designated Historic Properties. Properties which may be eligible as Designated Historic Properties because they have received either (1) an existing or contingency rating of "A", "B" or "C" from the Reconnaissance or Intensive Surveys or (2) have been determined by the Surveys to contribute or potentially contribute to an Area of Primary or Secondary Importance.

Preliminary Citywide Historical and Architectural Inventory. This is a reconnaissance or "windshield" historical and architectural survey conducted by the City Planning Department in 1986. The Element refers to the Inventory as the "Reconnaissance Survey".

The Preliminary Inventory covers most of Oakland excluding those areas which had already been included in the Oakland Cultural Heritage Survey. The Inventory was primarily intended to quickly provide a database similar to that of the Cultural Heritage Survey which could be used on an interim basis until the Survey was completed. Like the Survey, the Preliminary Inventory focuses on pre-1946 properties, preliminarily rates individual properties according to the Survey's A-B-C-D-E rating system and preliminarily identifies Areas of Primary or Secondary Importance. The Preliminary Inventory's findings are later confirmed or modified by the Survey.

Policy 1.2 uses the Preliminary Inventory as a basis for identifying properties which may warrant City-sponsored preservation efforts. Policy 2.5 (Table 4-4) uses the Inventory as a basis for determining Heritage Property eligibility.

See Technical Report, Chapter 4, Section F.5.b.

Preservation District. An area or group of properties which has been included in the City's S-7 Preservation Combining Zone pursuant to Section 6400 of the Zoning Regulations and the Rezoning and Law Change Procedure at Section 9500.

In order to be eligible as a Preservation District, an area or property group must meet the Guidelines for Determination of Preservation District Eligibility.

Policy 2.2 provides two classes of Preservation Districts. Class 1 Districts are equivalent to Areas of Primary Importance; Class 2 Districts are equivalent to Areas of Secondary Importance.

Policy 2.4 (Tables 4-1 and 4-2) and Policy 2.6 provide development regulations and preservation incentives for Preservation Districts similar to those for Landmarks.

Preservation District Eligibility Guidelines. Same as Guidelines for Determination of Preservation District Eligibility.

Reconnaissance Survey. Same as Preliminary Citywide Historical and Architectural Inventory.

Specified Major Alterations. Defined in Policy 2.5 (Table 4-5) to include but not necessarily be limited to:

- (i) Major changes to surface materials, such as covering or replacing one kind of siding with another;
- (ii) Removal of structural elements such as bay windows or porches or of architectural detailing;
- (iii) Changes to the shapes and locations of windows or other openings; or

(iv) Structural additions.

Specified Major Alterations to Heritage Properties not requiring any Design Review approvals (including Special Residential Design Review approvals or exemptions) may be postponed for up to 60 days by the Planning Director with a possible 60-day extension in the same manner as for demolition or removal of Heritage Properties.

APPENDIX B: EXISTING PROPERTIES ON THE NATIONAL REGISTER OF HISTORIC PLACES, OAKLAND LANDMARKS AND S-7 PRESERVATION DISTRICTS

OCPD 263
DC 30.03

OAKLAND PROPERTIES LISTED IN THE NATIONAL REGISTER OF HISTORIC PLACES

SEPTEMBER 24, 1993

* = Designated as Oakland Landmark (Section 7002 of Oakland Zoning Regulations)

NHL = National Historic Landmark

<u>Property Name</u>	<u>Location</u>	<u>Date Listed</u>
*Lake Merritt Wild Duck Refuge (NHL)	Lakeside Park, Grand Avenue	(10/15/66)
*Joaquin Miller House - "The Abbey"	Joaquin Miller Road & Sanborn Drive	(10/15/66)
Mills Hall (Mills College)	Mills College Campus	(10/14/71)
*Dunsmuir House	Peralta Oaks Court	(5/19/72)
*Camron-Stanford House (Old Oakland Public Museum)	1426 Lakeside Drive	(6/13/72)
*Alfred H. Cohen House	1440 29th Avenue	(6/19/73)
*Paramount Theater (NHL)	2025 Broadway	(8/14/73)
*Pardee House	672-11th Street	(5/24/76)
*First Unitarian Church of Oakland	685-14th Street	(6/16/77)
*Treadwell Mansion & Carriage House (Macky Hall & Carriage House)	5212 Broadway	(7/15/77)
*Antonio Maria Peralta House	2465-34th Avenue	(11/17/77)
*Greek Orthodox Church of the Assumption	9th Street & Castro Street	(5/22/78)
*Dunns Block	725 Washington Street	(11/15/78)
Clay Building	1001-1007 Clay Street	(11/20/78)
*Federal Realty Building (Pierce Building; Cathedral Building)	1615 Broadway	(1/29/79)

**Oakland Properties Listed in the
National Register of Historic Places
September 24, 1993**

<u>Property Name</u>	<u>Location</u>	<u>Date Listed</u>
*Fox Oakland Theater	1807-29 Telegraph Avenue	(2/9/79)
M.V. Santa Rosa (Santa Rosa Ferryboat)	Howard Terminal	(5/29/79)
*Oakland Hotel	260-13th Street	(9/4/79)
*White Mansion	604 E. 17th Street	(10/31/80)
*Main Post Office & Federal Building (Civic Center Post Office)	201-13th Street	(10/23/80)
*Trinity Church (St. Augustine's Episcopal Church)	525-29th Street	(2/4/82)
*McCrea House	3500 Mountain Boulevard	(2/11/82)
Madison Park Apartments	100 9th Street	(4/1/82)
*Security Bank & Trust Company Building (Key System Bldg.)	1100 Broadway	(7/26/82)
*Oakland Public Library (Charles S. Greene Library Building; Oakland Carnegie Free Library)	659 14th Street	(8/11/83)
*Oakland Iron Works/United Iron Works & Remillard Brick Company	552-92 2nd Street	(8/25/83)
*Oakland City Hall	One City Hall Plaza	(9/15/83)
*Oakland YWCA Building	1515 Webster Street	(9/20/84)
Pacific Gas & Electric Company Building	1625 Clay Street/551 17th Street	(7/17/86)
*U.S.S. Potomac (FDR's Presidential Yacht; The Floating Whitehouse)	1660 Embarcadero	(2/20/87)
California Hotel (NHL)	3443-3501 San Pablo Avenue	(6/30/88)
*Liberty Hall	1483-1485 8th Street	(3/30/89)

Oakland Properties Listed in the
National Register of Historic Places
September 24, 1993

<u>Property Name</u>	<u>Location</u>	<u>Date Listed</u>
Kahn's Department Store	1501-1539 Broadway	(3/30/89)
*Locke House	3911 Harrison Street	(4/7/89)
City of Oakland (USS Hoga) (NHL)	FDR Memorial Pier Jack London Square	(6/30/89)
Lightship WAL-605.Relief	Oakland Estuary in Brooklyn Basin	(12/20/89)
The Bellevue-Staten	492 Staten Avenue	(12/27/91)
University High School	5714 Martin Luther King Jr. Way	(10/2/92)

Compiled By: Oakland City Planning Department

F-LM264 3OAKPRTS.HKP

L A N D M A R K S P R E S E R V A T I O N A D V I S O R Y B O A R D

Oakland, California

Landmarks and Preservation Districts

September 24, 1993

* = On National Register of Historic Places

Landmarks

	<u>Ordinance and Date</u>	<u>Description</u>	<u>Zoning Case No.</u>
1.	Ord 9032 C.M.S. July 9, 1974	Western Pacific Depot 3rd & Washington Sts.	LM 74-176
2.	Ord 9120 C.M.S. * January 7, 1975	Camron-Stanford House 1426 Lakeside Drive	LM 74-335
3.	Ord 9120 C.M.S. January 7, 1975	Heinold's First & Last Chance Saloon 90 Jack London Square	LM 74-335
4.	Ord 9120 C.M.S. January 7, 1975	Tower to General John C. Fremont Joaquin Miller Park	LM 74-335
5.	Ord 9120 C.M.S. * January 7, 1975	Joaquin Miller Abbey Joaquin Miller Park	LM 74-335
6.	Ord 9120 C.M.S. January 7, 1975	J. Mora Moss Cottage Mosswood Park	LM 74-335
7.	Ord 9120 C.M.S. * January 7, 1975	Governor George C. Pardee House 672-11th Street	LM 74-335
8.	Ord 9120 C.M.S. * January 7, 1975	Alfred H. Cohen House 1440-29th Avenue	LM 74-335
9.	Ord 9120 C.M.S. * January 7, 1975	Paramount Theater 2025 Broadway	LM 74-335
	Ord 11559 C.M.S.* March 9, 1993	Paramount Theater Interior	
10.	Ord 9195 C.M.S. * August 5, 1975	Antonio Maria Peralta House 2465-34th Avenue	LM 75-221

<u>Ordinance and Date</u>	<u>Description</u>	<u>Zoning Case No.</u>
11. Ord 9195 C.M.S. August 5, 1975	Site of Adobe Headquarters, Rancho San Antonio 2465-2501-2511 34th Avenue	LM 75-221
12. Ord 9195 C.M.S. * August 5, 1975	Treadwell Hall, Calif. College of Arts and Crafts 5212 Broadway	LM 75-221
13. Ord 9195 C.M.S. * August 5, 1975	First Unitarian Church 685-14th Street	LM 75-221
14. Ord 9195 C.M.S. August 5, 1975	Frederick B. Ginn House 660-13th Street	LM 75-221
15. Ord 9306 C.M.S. May 4, 1976	Tribune Tower 409-415-13th Street	LM 76-10
16. Ord 9375 C.M.S. October 5, 1976	Herbert Hoover House 1079-12th Street	LM 76-393
17. Ord 9434 C.M.S. March 8, 1977	Jack London House 1914 Foothill Blvd.	LM 76-524
18. Ord 9475 C.M.S. * May 24, 1977	Young Women's Christian Assoc. (YWCA) 1515 Webster Street	LM 77-151
19. Ord 9538 C.M.S. November 15, 1977	Lakeshore Highlands Portals Trestle Glen Road & Longridge Road	LM 77-374
20. Ord 9546 C.M.S. * November 29, 1977	Greek Orthodox Church of the Assumption Original Location: 920 Brush Street New Location: 950 Castro St.	LM 77-522
21. Ord 9590 C.M.S. March 21, 1978	Quinn House Original Location: 1425 Castro Street New Location: 1605 Filbert St.	LM 77-573

Landmarks and Preservation Districts
Oakland, California
September 24, 1993

<u>Ordinance and Date</u>	<u>Description</u>	<u>Zoning Case No.</u>
22. Ord 9590 C.M.S. March 21, 1978	Arbor Villa Palm Trees West side of 9th Avenue from East 24th to East 28th Streets, along Bayview Ave. from East 28th to 927 Bayview and on East 28th Street from Park Blvd. to 9th Avenue	LM 77-573
23. Ord 9592 C.M.S. * March 28, 1978	Fox Oakland Theater and Building 1807-1829 Telegraph Ave.	LM 78-36
24. Ord 9729 C.M.S. February 20, 1979	California Cotton Mills (1917 Bldg.) 1091 Calcot Place	LM 78-653
25. Ord 9730 C.M.S. February 20, 1979	MacIise Drug Store Bldg. 1633 San Pablo Avenue	LM 78-652
26. Ord 9745 C.M.S. * April 3, 1979	Locke House 3911 Harrison St.	LM 79-39
27. Ord 9746 C.M.S. April 3, 1979	Oakland Municipal Auditorium 10 Tenth Street	LM 79-40
28. Ord 9783 C.M.S. * June 19, 1979	Oakland City Hall 1 City Hall Plaza	LM 79-131
29. Ord 9847 C.M.S. * December 4, 1979	St. Augustine's/Old Trinity Church 29th Street & Telegraph Avenue	LM 79-401
30. Ord 9848 C.M.S. December 4, 1979	Earl Warren House 88 Vernon Street	LM 79-281
31. Ord 9854 C.M.S. * December 18, 1979	Hotel Oakland 13th, Harrison, 14th and Alice Streets	LM 79-484
32. Ord 9865 C.M.S. January 22, 1980	Caldecott Tunnel State Highway 24 at Contra Costa line	LM 79-494

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<u>Ordinance and Date</u>	<u>Description</u>	<u>Zoning Case No.</u>
33. Ord 9872 C.M.S. February 5, 1980	North Field Metropolitan Oakland International Airport	LM 79-310
34. Ord 9897 C.M.S. March 18, 1980	Montclair Fire House 6226 Moraga Avenue	LM 80-4
35. Ord 9911 C.M.S. April 8, 1980	Brooklyn Fire House 1235 East 14th Street	LM 80-40
36. Ord 9926 C.M.S. May 27, 1980	Point Oakland Fire House 1681-8th Street	LM 80-95
37. Ord 9927 C.M.S. * May 27, 1980	Dunsmuir House and Carriage House 2960 Peralta Oaks Court	LM 79-542
38. Ord 9940 C.M.S. June 24, 1980	Old Survivor Redwood Tree Leona Park	LM 80-134
39. Ord 9945 C.M.S. * July 8, 1980	Lake Merritt (Lakeside Park & Wildlife Refuge)	LM 79-514
40. Ord 9978 C.M.S. September 30, 1980	Leimert Bridge Leimert Boulevard between Park Boulevard & Clemens Road	LM 80-276
41. Ord 9979 C.M.S. September 30, 1980	Glenview Branch Library 4231 Park Boulevard	LM 80-275
42. Ord 9995 C.M.S. * November 4, 1980	Asa White House 604 East 17th St.	LM 80-408
43. Ord 9996 C.M.S. November 4, 1980	Four Carnegie Libraries: (a) Golden Gate Branch, 5606 San Pablo; (b) Melrose Branch, 4805 Foothill; (c) Temescal Branch, 5205 Tele- graph Avenue; (d) 23rd Avenue Branch, 1441 Miller Avenue	LM 80-326
44. Ord 9997 C.M.S. November 4, 1980	King's Daughters Home 3900 Broadway	LM 80-147

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<u>Ordinance and Date</u>	<u>Description</u>	<u>Zoning Case No.</u>
45. Ord 9998 C.M.S. November 4, 1980	Morcom Amphitheater of Roses Oakland-Piedmont line between Oakland Avenue and Jean Street	LM 80-350
46. Ord 10034 C.M.S. February 24, 1981	Second Church of Christ, Scientist (Parks Chapel A.M.E. Church) 476 34th Street	LM 80-511
47. Ord 10047 C.M.S. April 14, 1981	James White House Original Location: 702 11th Street Present Location: Preservation Park	LM 81-12
48. Ord 10047 C.M.S. * April 14, 1981	Charles S. Greene Library 659 - 14th Street	LM 81-12
49. Ord 10049 C.M.S. April 14, 1981	Southern Pacific Mole Westerly terminus of 7th Street	LM 81-42
50. Ord 10062 C.M.S. May 5, 1981	John C. McMullen House 2748 Grande Vista Ave.	LM 81-44
51. Ord 10063 C.M.S. * May 5, 1981	George McCrea House and Indian Campground Holy Names College Campus 3500 Mountain Blvd.	LM 81-43
52. Ord 10098 C.M.S. July 14, 1981	Grand Lake Theater and Grand Lake Theater Roof Sign, 3200 Grand Ave.	LM 81-101
53. Ord 10152 C.M.S. November 17, 1981	Dr. William Bamford House 1235-9 East 15th St.	LM 81-231
54. Ord 10153 C.M.S. November 17, 1981	James Presho House 1806-10th Avenue	LM 81-234A

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<u>Ordinance and Date</u>	<u>Description</u>	<u>Zoning Case No.</u>
55. Ord 10154 C.M.S. November 17, 1981	Seymour C. Davisson House 1527 Union Street	LM 81-232A
56. Ord 10155 C.M.S. November 17, 1981	DeFremery House 1651 Adeline Street	LM 81-230
57. Ord 10160 C.M.S. December 3, 1981	Capt. Henry E. Nichols House 2304 - 9th Avenue	LM 81-233A
58. Ord 10246 C.M.S. July 20, 1982	Williams Block 1148-1156 East 12th St.	LM 82-127
59. Ord 10246 C.M.S. July 20, 1982	Central Block(Demolished) 1102-1118 East 12th St.	LM 82-127
60. Ord 10290 C.M.S. November 9, 1982	Portland Hotel-Henry House 470-482 9th Street	LM 82-310
61. Ord 10291 C.M.S. * November 9, 1982	Dunn Block 721-725 Washington St.	LM 82-264
62. Ord 10292 C.M.S. November 9, 1982	Peniel Mission (Oriental Block) 716-724 Washington St.	LM 82-263
63. Ord 10293 C.M.S. November 9, 1982	Victor H. Metcalf House Original location: 245 Perkins St. Present location: 750 14th St.	LM 82-308
64. Ord 10294 C.M.S. November 9, 1982	LaSalle Hotel Building 491-497 9th Street	LM 82-265
65. Ord 10295 C.M.S. November 9, 1982	Central Pacific Railway Depot (Mi Rancho) 464-468 7th Street	LM 82-309
66. Ord 10296 C.M.S. November 9, 1982	Bowman B. Brown's Bldg. and Annex 727-735 Washington St., 509-513 8th St.	LM 82-266

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<u>Ordinance and Date</u>	<u>Description</u>	<u>Zoning Case No.</u>
67. Ord 10319 C.M.S. February 15, 1983	Hume-Wilcutt House 918-18th Street	LM 82-417
68. Ord 10332 C.M.S. April 12, 1983	Wilcox Block & Annex (Gladstone) 821-833 Broadway, 459- 475 9th St.	LM 83-22
69. Ord 10332 C.M.S. April 12, 1983	Delger Block 901-933 Broadway	LM 83-24
70. Ord 10333 C.M.S. * April 12, 1983	Cathedral Building 1615 Broadway	LM 83-23
71. Ord 10364 C.M.S. July 12, 1983	Holland-Canning House 954 16th Street	LM 83-95
72. Ord 10364 C.M.S. July 12, 1983	Reed-Henshaw House 974 16th Street	LM 83-96
73. Ord 10364 C.M.S. July 12, 1983	Campbell House 1014 16th Street	LM 83-97
74. Ord 10364 C.M.S. July 12, 1983	Gladding-Chickering House 970 16th Street	LM 83-98
75. Ord 10373 C.M.S. September 6, 1983	Cattaneo Block (Buon Gusto Bakery) 5006-5010 Telegraph Ave.	LM 83-151
76. Ord 10407 C.M.S. November 8, 1983	Lloyd Hotel Building 477-487 9th Street	LM 83-301
77. Ord 10409 C.M.S. November 8, 1983	Arlington Hotel Building 484-494 9th Street	LM 83-302
78. Ord 10419 C.M.S. December 20, 1983	Gooch Block (Ratto's International Grocery) 817-829 Washington St.	LM 83-379
79. Ord 10420 C.M.S. December 20, 1983	Jefferson Square 6th Street, 7th Street	LM 83-398

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<u>Ordinance and Date</u>	<u>Description</u>	<u>Zoning Case No.</u>
80. Ord 10421 C.M.S. December 20, 1983	Lincoln Square (Oakland Square) 10th Street, 11th Street, Harrison Street, Alice St.	LM 83-401
81. Ord 10434 C.M.S. January 31, 1984	Southern Pacific Railroad Station 16th and Wood Streets	LM 83-423
82. Ord 10434 C.M.S. * January 31, 1984	1100 Broadway Building 1100 Broadway	LM 83-425
83. Ord 10472 C.M.S. May 29, 1984	St. James Episcopal Church & Parish Hall 1540 12th Avenue	LM 84-58
84. Ord 10477 C.M.S. June 26, 1984	Brooklyn Presbyterian Church and Parish Hall 1433 12th Avenue	LM 84-109
85. Ord 10514 C.M.S. October 16, 1984	Asian Resource Center 8th/Harrison	LM 84-291
86. Ord 10515 C.M.S. October 16, 1984	Latham Square Fountain 15th/Telegraph	LM 84-266
87. Ord 10522 C.M.S. November 13, 1984	St. Joseph's Home for the Aged St. Joseph's Professional Center 2647 East 14th St.	LM 84-317
88. Ord 10524 C.M.S. November 13, 1984	Howden Building 325-43 17th St.	LM 84-290
89. Ord 10525 C.M.S. November 13, 1984	Financial Center Bldg. 405 14th St.	LM 84-292
90. Ord 10570 C.M.S. April 23, 1985	Mary R. Smith Trust Cottages: Initial Cottage 23-27 Home Place West	LM 84-417
91. Ord 10571 C.M.S. April 23, 1985	Mary R. Smith Trust Cottages: Grace Cottage 1101-5 McKinley	LM 84-412

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<u>Ordinance and Date</u>	<u>Description</u>	<u>Zoning Case No.</u>
92. Ord 10572 C.M.S. April 23, 1985	Mary R. Smith Trust Cottages: Evelyn Cottage 3001 Park Boulevard	LM 84-415
93. Ord 10573 C.M.S. April 23, 1985	Mary R. Smith Trust Cottages: The Lodge 2901 Park Boulevard	LM 84-414
94. Ord 10574 C.M.S. * April 23, 1985	U.S.S. Potomac 1660 Embarcadero	LM 85-38
95. Ord 10575 C.M.S. * April 23, 1985	Civic Center Post Office 201 13th Street	LM 84-410
96. Ord 10576 C.M.S. May 3, 1985	Necklace of Lights Lake Merritt	LM 85-39
97. Ord 10608 C.M.S. * July 16, 1985	Oakland Iron Works/ United Iron Works 2nd St. at Jefferson St.	LM 84-265
98. Ord 10609 C.M.S. July 23, 1985	Oakland Technical High School 4500 Broadway	LM 85-212
99. Ord 10613 C.M.S. July 30, 1985	Oakland Title Insurance Building 1449-1459 Franklin St./ 401-07 15th Street	LM 83-426
100. Ord 10655 C.M.S. Nov. 12, 1985	White Building 327-349 15th St./ 1464-1466 Webster St.	LM 85-319
101. Ord 10755 C.M.S. July 8, 1986	Roos Brothers Building 1500-20 Broadway/ 448 15th St.	LM 86-36
102. Ord 10754 C.M.S. July 8, 1986	Chryst House 1600 Fernwood Drive	LM 86-37
103. Ord 10756 C.M.S. July 8, 1986	Attached residences at 3034-3040 Richmond Blvd.	LM 86-55

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<u>Ordinance and Date</u>	<u>Description</u>	<u>Zoning Case No.</u>
104.Ord 10762 C.M.S. July 15, 1986	Tower House 1937 8th Ave.	LM 86-154
105.Ord 10852 C.M.S. April 7, 1987	Leamington Hotel Build- ing and Annex 1800-26 Franklin St./ 365-89 19th St.	LM 86-495
106.Ord 10866 C.M.S. * June 19, 1987	Western Market Building 1483-87 8th St./782 Chester St.	LM 87-150
107.Ord 10938 C.M.S. January 19, 1988	Fricke Building (Demol- ished) 565-7 11th Street	LM 87-560
Deleted: Ord. 11021 C.M.S. July 19, 1988		
108.Ord 10937 C.M.S. January 19, 1988	Wetmore House Group (Demolished) 571, 573-5-7, and 583 11th Street	LM 87-561
Deleted: Ord. 11021 C.M.S. July 19, 1988		
109.Ord. 11463 C.M.S. June 23, 1992	Posey Tube Portal (415) Harrison Street	LM 91-128
110.Ord. 11464 C.M.S. June 23, 1992	Ellen Kenna House 1218 East 21st Street	LM 91-129
111.Ord. 11465 C.M.S. June 23, 1992	Lake Merritt Hotel 1800 Madison Street	LM 91-136
112.Ord. 11466 C.M.S. June 23, 1992	Palace Apartments (Alison Apartments) 1560 Alice Street	LM 90-446
113.Ord 11558 C.M.S. March 9, 1993	Modern Safeway Stores Office & Warehouse Building 5701-5759 E. 14th Street	LM 92-121

Landmarks and Preservation Districts
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Preservation Districts (S-7 Preservation Zone)

- | | | |
|--|--|----------|
| 1. Ord. 9201 C.M.S.
August 12, 1975 | Preservation Park
11th, Castro, 14th Streets
& Martin Luther King Jr. Way | R 75-195 |
| 2. Ord. 9298 C.M.S.
April 13, 1976 | Victorian Row
7th, Clay, 10th Streets,
and Broadway | R 76-28 |
| 3. Ord. 9754 C.M.S.
April 17, 1979 | Preservation Park Ex-
tension, 10th, Castro,
13th Streets, & Martin
Luther King Jr. Way; 10th,
Jefferson, 11th Streets &
Martin Luther King Jr. Way | R 79-80 |
| 4. Ord. 10243 C.M.S.
July 20, 1982 | Downtown Brooklyn -
Clinton
Northerly side of E.
12th Street between 11th
Avenue and 12th Avenue | R 82-144 |
| 5. Ord. 10976 C.M.S.
May 3, 1988 | 10th Avenue
Portions of the 1900
2000 and 2100 blocks of
10th Avenue | R 88-94 |

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City of Oakland
Department of Planning and Economic Development
Office of Historic Preservation

APPENDIX C: OAKLAND CULTURAL HERITAGE SURVEY EVALUATION SYSTEM

APPENDIX C: OAKLAND CULTURAL HERITAGE SURVEY EVALUATION SYSTEM

The purpose of this document is to provide a framework for the evaluation of the results of the Oakland Cultural Heritage Survey. The survey was conducted in 1992 and 1993, and the results are presented in this document. The purpose of the survey was to identify and evaluate the cultural heritage resources of the City of Oakland. The survey was conducted in two phases: a preliminary survey and a detailed survey. The preliminary survey was conducted in 1992 and the detailed survey was conducted in 1993. The results of the survey are presented in this document.

EVALUATION CRITERIA

The evaluation of the results of the survey is based on the following criteria: (1) the significance of the resource, (2) the condition of the resource, (3) the location of the resource, (4) the visibility of the resource, and (5) the potential for the resource to be used for public purposes.

The significance of the resource is evaluated based on its historical, architectural, archaeological, or scientific value. The condition of the resource is evaluated based on its physical state and the extent of its deterioration. The location of the resource is evaluated based on its proximity to other resources and its accessibility. The visibility of the resource is evaluated based on its prominence and its visibility from the street. The potential for the resource to be used for public purposes is evaluated based on its potential for use as a museum, a library, or a public space.



Oakland Cultural Heritage Survey
Oakland City Planning Department

OAKLAND CULTURAL HERITAGE SURVEY EVALUATION METHODS

September 30, 1993

Within the city of Oakland there are approximately 100,000 residential, commercial, and industrial buildings. At least 50 percent of them were built before the end of World War II. These 50,000 older properties constitute a vast resource important to the character and overall physical quality of the City. Many of these properties have special character or embody special historical, cultural, educational, architectural, aesthetic, or environmental interest or value.

Since 1981, the Oakland Cultural Heritage Survey has been evaluating resources according to a system adapted from the San Francisco Downtown Inventory and Harold Kalman's The Evaluation of Historic Buildings (Parks Canada, 1980). The categories, ratings, and guidelines for interpretation closely parallel those of National Register Bulletin 15, Sections IV and V ("How to Identify the Type of Significance of a Property"; "How to Determine if a Property has Integrity"). Properties are evaluated under 17 headings in four general areas: A. Visual Quality/Design, B. History/Association, C. Continuity, and D./E. Integrity/Reversibility. Visual Quality corresponds to National Register Criterion C, architecture, and History/Association corresponds to Criterion A, patterns of history, and sometimes B, persons.

The Survey identifies districts in two categories: Areas of Primary Importance (API) and Areas of Secondary Importance (ASI). These are historically or visually cohesive areas in which a high proportion of properties contribute to or reflect the area's principal historical or architectural themes. The major differences between APIs and ASIs are that APIs appear eligible for the National Register as districts or historically related complexes while ASIs do not (though they are considered to warrant city preservation efforts), and that seriously altered properties which appear restorable may be counted as contributors in an ASI but not in an API.

EVALUATION CRITERIA

Evaluations of seventeen different aspects of a property are recorded on an Evaluation Sheet together with brief comments justifying each rating (Excellent, Very Good, Good, Fair, Poor). Ratings are assigned in accordance with definitions and guidelines in the City Planning Department's "Evaluation Criteria and Ratings", attached.

- A. Visual Quality/Design. Architectural significance of a property is evaluated in six areas: exterior design (composition, detailing, artistic merit); interior design (public interiors are evaluated); construction (methods of construction, materials, workmanship), style and type (significance as an example of a type or style, considering both quality and rarity), supportive elements (contributing setting such as landscaping and outbuildings; sometimes aspects of feeling and association, such as old signs or long-term uses); and importance of the architect, designer, or builder.

- B. History/Association. Historical importance of a property is evaluated for its age (rated by 3 milestones, the arrival of the transcontinental railroad in 1869, the 1906 earthquake, and the end of World War II in 1945), and for association with individuals, organizations, events, or patterns of neighborhood, citywide, state, or national importance. The importance of the person, organization, event, or pattern is assessed (primary, secondary, tertiary, or none), and then the degree of the property's connection with it ("intimately" or "loosely connected," measured by such things as the length of a person's or organization's occupancy, degree of influence on or from a pattern, number of surviving examples, etc.)
- C. Context. "Familiarity" measures a property's general prominence and recognition, and "Continuity" evaluates its role in a district, if any (contributor, noncontributor, or contributor if restored), in a National Register eligible district (Area of Primary Importance - API) or locally important district (Area of Secondary Importance - ASI).
- D/E. Integrity/Reversibility. Loss of integrity is evaluated under the headings of condition (integrity of materials), exterior and interior alterations (integrity of design, materials, workmanship), structural removals (large scale components), and site (location, setting). The feasibility of reversing the alterations is estimated. The rating for exterior alterations is designed to parallel the guidelines in National Register Bulletin 15, so that properties rated excellent or good ("minor alterations which do not change the overall character") may be individually eligible for the National Register if they otherwise qualify, while those rated fair ("overall character changed") or poor ("altered beyond recognition") normally would not be eligible, though exceptions might occur for extremely rare or extremely important properties.

In districts, in general, properties with excellent or good integrity which are of the period of significance and are otherwise compatible contribute to National Register districts (Areas of Primary Importance); such properties with fair integrity may also contribute to locally important districts (Areas of Secondary Importance). Key terms are "overall character" and "recognizable," paralleling the language of National Register Bulletin 15 ("the property must retain the essential physical features that enable it to convey its past identity or character," "conveys overall a sense of time and place," "enough of its historic appearance to recall that association," etc.). What this means has to be determined individually for each property, in keeping with the property's or district's reasons for significance, age, and subsequent evolution.

RATINGS

An Evaluation Tally Sheet is used to convert the various ratings (Excellent, Very Good, Good, Fair, Poor) assigned on the Evaluation Sheet into numerical values or points, which are added together for a total score, which is converted to a significance rating:

- A. Highest Importance. Applies to the most outstanding properties, considered clearly eligible for individual National Register and City landmark designation. Outstanding examples of an important style, type, or convention, or intimately associated with a person, organization, event, or historical pattern of extreme importance at the local level or major importance at the state or national level. (41 total points and up)

- B. Major Importance. Properties of major historical or architectural value but not sufficiently important to be rated "A." Most are considered individually eligible for the National Register, but some may be marginal candidates. All are considered eligible for City landmark designation. Especially fine examples of an important type, style, or convention, or intimately associated with a person, organization, event, or historical pattern of major importance at the local level or moderate importance at the state or national level. (28 to 40 points)
- C. Secondary Importance. Properties that have sufficient visual/architectural or historical value to warrant recognition but do not appear individually eligible for the National Register. Some may be eligible as City landmarks. Superior or visually important examples of a particular type, style, or convention, and most pre-1906 properties. (18 to 27 points)
- D. Minor Importance. Properties which are not individually distinctive but are typical or representative examples of an important type, style, convention, or historical pattern. The great majority of pre-1946 properties are in this category. (11 to 17 points)
- E. Of No Particular Interest. Properties which are not representative of any important style, type, convention, or historical pattern, and which are visually undistinguished. (0 to 10 points)
- *. Not Rated. Post-1945 and totally and irreversibly remodeled properties.

Altered properties and post-1945 properties which could become A's, B's, etc. if restored or when older receive a dual rating ("*b," etc.) to indicate this.

District status is indicated as part of a property's rating by a number (1 = Area of Primary Importance, 2 = Area of Secondary Importance, 3 = not in an Area of Primary or Secondary Importance). For properties in a district (1 or 2), an additional symbol indicates whether the property is a contributor (+), noncontributor (-), or potential contributor if restored (*).

The resulting ratings are used for local planning purposes such as design review, environmental review, identification of structures eligible for treatment under the State Historical Building Code pursuant to the City's earthquake repair and unreinforced masonry building ordinances, and for determination of potential City landmark and National Register eligibility and potential eligibility if restored. In addition, the evaluation system is expected to be incorporated into the Historic Preservation Element of Oakland's General Plan.

ATTACHMENTS

- (1) Evaluation Criteria and Ratings: Specific guidelines for ratings
- (2) Evaluation Sheet: Worksheet used to show ratings and reviewer comments
- (3) Evaluation Tally Sheet: Worksheet used to arithmetically summarize ratings
- (4) Rating System: Illustrated examples of ratings

Oakland Cultural Heritage Survey
EVALUATION CRITERIA AND RATINGS
Oakland City Planning Department
May, 1985
Rev. September 1993

GENERAL NOTE: If a feature has experienced known losses of integrity (Criteria Group D), Criteria Groups A, B and C should normally be applied to the feature as it existed before those losses were sustained. Criteria Group D should then be applied to the feature to reflect those losses of integrity. However, if the original appearance of the feature is unknown or if the alterations resulting in the losses of integrity have special significance in themselves, or if it is known that none of the original appearance remains then Criteria Groups A, B, and C should be applied to the feature as it presently exists with no deductions in Criteria Group D for losses of integrity.

CRITERION	RATINGS	COMMENTS AND GUIDELINES
A. Visual Quality/Design		
1. EXTERIOR Quality of form, composition, detailing, and ornament measured in part on originality, artistic merit, craftsmanship, sensitivity to surroundings and overall visual quality.	E Excellent VG Very Good G Good FP Undistinguished	Applies to natural features as well as to man-made features. A "G" rating is appropriate for features which have any clearly identifiable visual or design value. An "E" rating is appropriate for features which based on exterior visual quality alone appear eligible for the National Register of Historic Places.
2. INTERIOR Design quality of interior arrangement, finish, craftsmanship and/or detail or association with a person, group, organization or institution using the interior.	E Excellent VG Very good G Good FP Undistinguished	In most uses, this criterion will be applied only to interiors which are accessible to the public. If a feature has more than one interior space, each space should be given a separate evaluation.
3. CONSTRUCTION Significance as example of a particular structural material, surface material or method of construction.	E Especially fine or very early example if few survive. VG Especially fine or very early example if many survive; good example if few survive. G Good example if many survive of any material or method not generally in current use (such as brick masonry or balloon framing) or of a highly durable method of construction (steel frame, reinforced concrete, etc.) FP Of no particular interest.	Examples of "especially fine" construction methods or structural materials include those which successfully address challenging structural problems, or which are treated as visible design elements that contribute significantly to the feature's overall design quality, or which exhibit fine craftsmanship. Surface materials should be treated under this criterion only according to their type and according to the level of craftsmanship which they represent. The contribution of surface materials to a feature's design quality should be treated in Criterion 1. (Exterior) Examples of "especially fine" surface materials include stone (granite, marble) and polychrome terra cotta.
4. DESIGNER Designed or built by an architect, engineer, builder, artist, or other designer who has made a significant contribution to the community, state, or nation.	E Designer of primary importance. VG Designer of secondary importance. G Designer of tertiary importance. FP Designer unknown or of no particular interest.	Normally, an especially active designer will be rated at least "G".
5. TYPE Significance as an example of a particular type, style or convention.	E Especially fine or very early example if few survive. VG Especially fine or very early example if many survive; good example if few survive. G Good example of any type, style or convention not generally in current use. FP Of no particular interest.	A "good example" should generally exhibit most of the archetypical characteristics of the type, style or convention the example is intended to represent. Features which are utilitarian in style and function, possess no special design characteristics, and of which many survive are normally rated FP.

CRITERION	RATINGS	COMMENTS AND GUIDELINES
6. SUPPORTIVE ELEMENTS Fences, walls, outbuildings, trees, landscaping and other secondary elements which are accessory to the feature being evaluated and are supportive of or enhance the feature's notable qualities; also, stores, institutions and other tenants located within buildings.	E Many especially fine or unusual supportive elements. VG One or several especially fine or unusual supportive elements. G Supportive elements, but none which are especially fine or unusual. FP No supportive elements.	A supportive element should generally be considered "especially fine or unusual" if the element is notable enough to warrant a separate evaluation. A long-established non-residential tenant or occupant rated at least "G" as a supportive element and can be rated higher if the tenant or occupant has special significance as measured by Criterion 7 (Person/Organization).
B. History/Association		
7. PERSON/ORGANIZATION Associated with the life or activities of a person, group, organization, or institution that has made a significant contribution to the community, state or nation.	E Person/organization of primary importance intimately connected with the property. VG Person/organization of primary importance loosely connected, or person/organization of secondary importance intimately connected. G Person/organization of secondary importance loosely connected, or person/organization of tertiary importance intimately connected. FP Person/organization of tertiary importance loosely connected or no connection with person/organization of importance.	The significance of the person, group, organization or institution must itself be established before this criterion is applied. Such significance may be at either the local, state or national/international levels. "Intimately connected" will often mean that the feature was intimately associated with an important period in the life or activities of the person, group, organization or institution. A person/organization of primary importance at the local level will have played a decisive and far reaching role in the development of Oakland as a community (examples: Mayor Frank Mott, Central Pacific Railroad.) A person/organization of secondary importance at the local level will have played a major or leading (but not decisive) role in the development of Oakland as a community or a decisive role in the development of a particular neighborhood or of a particular ethnic group or segment of the community (examples: E.C. Osprey, James LaRue, Lew Ring, Realty Syndicate). A person/organization of tertiary importance at the local level will have played a prominent role (but not a real leadership role) in the development of a particular neighborhood or of a particular ethnic group or segment of the community (examples: John Nicholl Charles Beesman). The state and national/international levels are treated similarly. If the feature has been significantly altered since the time of its association with the person/organization and if such alteration is not treated in Criteria Group D, then the person/organization will be considered to be only "loosely connected" with the feature.
8. EVENT Associated with an event that has made a significant contribution to the community, state or nation.	E Event of primary importance intimately connected with the property. VG Event of primary importance loosely connected, or event of secondary importance intimately connected. G Event of secondary importance loosely connected, or event of tertiary importance intimately connected. FP Event of tertiary importance loosely connected or no connections with event of importance.	See comments for Criterion 7 (Person/Organization).
9. PATTERNS Associated with and effectively illustrative of broad patterns of cultural, social, political, economic, or industrial history, or of the development of the city, or of distinct geographic regions or ethnic groups, or of a particular well-defined era.	E Patterns of primary importance intimately connected with the property. VG Patterns of primary importance loosely connected, or patterns of secondary importance intimately connected. G Patterns of secondary importance loosely connected, or patterns of tertiary importance intimately connected. FP Patterns of tertiary importance loosely connected or no connection with patterns of importance.	A helpful measure of this criterion is to consider how useful the feature would be for the teaching of cultural history. A feature is normally "intimately connected" with a pattern if the feature exhibits the essence of the pattern. A feature is normally "loosely connected" with a pattern if the feature only exhibits the influence of the pattern. A pattern will normally be considered "intimately connected" with the feature if only a few examples associated with the pattern survive. "Intimate" and "loose" connections for significantly altered features are treated the same way as for Criterion 7 (Person/Organization). See also other comments for Criterion 7 (Person/Organization).

CRITERION	RATINGS	COMMENTS AND GUIDELINES
10. AGE Comparatively old in relation to development of the city.	E Established prior to 1869. VG Established between 1869 and April 1906. G Established between May 1906 and 1945. FP Established since 1945.	The western terminus of the transcontinental railroad was completed in Oakland in 1869, inaugurating an important period of rapid urban development. The 1906 earthquake helped stimulate another important period of rapid development in Oakland. At the end of World War II, urban development began to shift from central cities like Oakland to the suburbs. If the feature has been significantly altered since the time of its original construction or establishment, use the original date if the nature of the original design is still recognizable (e.g. roof shape or at least some elements of the original facade composition); use the date of the alteration if the nature of the original design is not recognizable.
<u>C. Context</u>		
11. CONTINUITY Contributes to the visual, historic or other environmental continuity or character of the street or area.	E Helps establish the character of an area of primary importance or constitutes a district. VG Maintains the character of an area of primary importance or helps establish the character of an area of secondary importance or constitutes a feature group. G Compatible with the character of an area primary importance or maintains the character of an area of secondary importance. FP Incompatible with an area of primary importance or not located in an area of primary or secondary importance.	"Area of primary or secondary importance" generally means a feature group, streetscape, district or other area notable enough to warrant a separate evaluation. Areas of primary importance include potential National Register districts and areas which are eligible for inclusion in the City's S-7 Preservation Combining Zone. If the feature has been removed (i.e., given an "F" or "P" rating under Criterion 16), and the property has therefore become only a "site", continuity should be evaluated by imagining the feature restored to its site, but in the existing surroundings. API contributors will be VG, anchors E. ASI contributors will be G, anchors VG.
12. FAMILIARITY Prominence or familiarity within the neighborhood, city or region.	E A feature which may be taken as symbol for the city or region as a whole. VG A conspicuous and familiar feature in the context of the city or region. G A conspicuous and familiar feature in the context of the neighborhood. FP Not particularly conspicuous or familiar.	A helpful measure of this criterion is to consider whether a typical resident of the neighborhood, city or region would notice the feature and remember it. If the feature has been removed, this criterion should be evaluated by considering the feature's role (if any) as a "landmark" prior to its removal.
<u>D. Integrity</u>		
13. CONDITION Extent to which the feature has experienced deterioration.	E No apparent surface wear or structural problems. G Exhibits only minor surface wear. F Exhibits considerable surface wear <u>or</u> significant structural problems. P Exhibits considerable surface wear <u>and</u> significant structural problems.	"Minor surface wear" generally means that no replacement of design elements due to deterioration is required. "Considerable surface wear" generally means that some design elements have deteriorated to such an extent that they must be replaced. "Significant structural problems" will generally be associated with sagging floor lines, out-of-plumb walls and fire damage.
14. EXTERIOR ALTERATIONS Degree of alteration to important exterior materials and design features.	E No changes or very minor changes. G Minor alterations which do not change the overall character, e.g., ground floor remodeled, secondary cornice removed, large numbers of windows replaced, etc. F Overall character changed, but recognizable, e.g., removal of major cornice/parapet, alteration of upper floors, or gross alteration of any major element. P Altered beyond recognition.	Sometimes alterations which change the character of the feature have sufficient merit by themselves to warrant separate evaluations. An example might be a well-designed art deco remodeled storefront on a Victorian commercial building.

CRITERION	RATINGS	COMMENTS AND GUIDELINES
15. INTERIOR ALTERATIONS Degree of alteration to important interior materials and design features.	E No changes or very minor changes. G Minor alterations which do not change the overall character. F Overall character changed but still recognizable. P Altered beyond recognition.	This criterion should be applied to each interior space evaluated under Criterion 2 (Interior). See also comment for Item 14 (Exterior Alterations).
16. STRUCTURAL REMOVALS Extent to which wings, stories, roofs and other important large scale structural components have been removed.	E No important structural removals. G Important portions of feature removed but with other portions remaining. F Entire feature removed, but with surviving traces (entry steps, trees, fences, etc.). P Entire feature removed with no surviving traces.	Many structural removals will be due to fire damage. If the entire feature has been removed, the property has become a "site". The consideration given to "traces" in distinguishing an "F" from a "P" rating will often "double count" supportive elements evaluated under Criterion 6. This reflects the increased associative importance of these supportive elements when the main feature has been removed.
17. SITE Relation of feature to its original site and neighborhood.	E Has not been moved. G Has been moved within the boundaries of its original site. F Has been relocated to a new site in the same neighborhood as the original site. P Has been relocated to a new site in a different neighborhood.	"Original site" means the site occupied by the feature at the time the feature achieved significance, which in some cases may have been after the feature was constructed or established. This criterion is less important if the feature is significant primarily for its visual quality or design (Criteria Group A) or is the surviving structure most importantly associated with a significant person, organization or event.
<u>E. Reversibility</u>		
18. EXTERIOR ALTERATIONS Extent to which integrity losses (see D 13-17) can be reversed, and ease or difficulty of making such corrections.	E Highly reversible. Almost all of original appears to exist, though covered. G Reversible. Some original missing or badly damaged, but 2/3 or more appears to exist. F Not easily reversible. Only 1/3 to 2/3 or more appears to exist. P Very difficult to reverse. Less than 1/3 of original appears to exist, or impossible to judge reversibility.	Materials easier to replicate—like shingles or rustic siding—rate higher than materials difficult or expensive to replicate, such as terra cotta. Processes easy to undo—like shingles over rustic siding—rate higher than permanent processes like sandblasting.
19. INTERIOR ALTERATIONS Same as 18.	Same as 18.	Same as 18.



Oakland Cultural Heritage Survey
Oakland City Planning Department

EVALUATION SHEET

ES

Common (and Historic) Name(s) _____

Address/Location _____

A. VISUAL QUALITY/DESIGN

1. Exterior _____ E VG G FP
2. Interior (list best spaces first) _____
- Space 1 _____ E VG G FP
- Space 2 _____ E VG G FP
- Other Spaces _____ E VG G FP
3. Construction _____ E VG G FP
4. Designer/Builder _____ E VG G FP
5. Type/Style _____ E VG G FP
6. Supportive Elements _____ E VG G FP

B. HISTORY/ASSOCIATION

7. Person/Organization _____ E VG G FP
8. Event _____ E VG G FP
9. Patterns _____ E VG G FP
10. Age _____ E VG G FP

C. CONTEXT

11. Continuity _____ E VG G FP
12. Familiarity _____ E VG G FP

D. INTEGRITY

13. Condition _____ E G F P
14. Exterior Alterations _____ E G F P
15. Interior Alterations _____
- Space 1 _____ E G F P
- Space 2 _____ E G F P
- Other Spaces _____ E G F P
16. Structural Removals _____ E G F P
17. Site _____ E G F P

E. REVERSIBILITY

18. Exterior Alterations _____ E G F P
19. Interior Alterations _____
- Space 1 _____ E G F P
- Other Spaces _____ E G F P

Evaluated by _____ Date _____

Reviewed by _____ Date _____ ☐ Approved ☐ See Comment Sheet

Reviewed by _____ Date _____ ☐ Approved ☐ See Comment Sheet

Reviewed by _____ Date _____ ☐ Approved ☐ See Comment Sheet

Reviewed by _____ Date _____ ☐ Approved ☐ See Comment Sheet

Reviewed by _____ Date _____ ☐ Approved ☐ See Comment Sheet

STATUS/RATING

Rating: Present status: ☐ A ☐ B ☐ C ☐ D ☐ E ☐ Not rated

Contingency status: ☐ a ☐ b ☐ c ☐ d ☐ e ☐ Not rated ☐ Not applicable

Contingency factor: ☐ (1) ☐ (2) ☐ (3) ☐ Site of opportunity

Composite rating

National Register (Individual): ☐ Listed (1) ☐ Determined eligible (2) ☐ Appears eligible (3) ☐ Potential if restored (4b) ☐ Potential when over 50 years old (4d) ☐ None of the above (6)

NR (as part of group or district only): ☐ Listed (1D) ☐ Determined eligible (2D)

☐ Appears eligible (3D) ☐ Potential if restored (4Db) ☐ Potential when over 50 (4Dd)

☐ ASI (5D) ☐ None of the above (6) ☐ Other

Composite eligibility

SRRI: ☐ Primary resource (NR # 1, 2, or 3) ☐ Contingency Primary (NR #4..) ☐ District Contributor (NR #3D)

☐ Contingency Contributor (NR #4D..) ☐ ASI (NR #5D) ☐ Noncontributor (NR #6) ☐ Ineligible (NR #6)

City Landmark: ☐ Listed ☐ In S-7 Zone ☐ On Study List ☐ None of the above

This form has been adapted from the San Francisco Downtown Inventory, prepared for the Foundation for San Francisco's Architectural Heritage by Charles Ball Page and Associates, and Harold Kalsner's *The Evaluation of Historic Buildings*.

Rev. 6/88



Oakland Cultural Heritage Survey Oakland City Planning Department

EVALUATION TALLY SHEET

ET

Address _____						
16	8	4	0	1. Exterior	Column I	Column II
8	4	2	0	2. Interior	Survey Rating	National Register Eligibility
4	2	1	0	(a) Space 1		
2	1	1	0	(b) Space 2		
10	5	3	0	(c) Other Spaces		
6	3	2	0	3. Construction		
10	5	3	0	4. Designer/Builder		
8	4	2	0	5. Type/Style		
				6. Supportive Elements		
A. VISUAL QUALITY/DESIGN TOTAL (40 Maximum)						
20	10	5	0	7. Person/Organization		
20	10	5	0	8. Event		
12	6	3	0	9. Patterns		
8	4	2	0	10. Age *		
B. HISTORY/ASSOCIATION TOTAL (40 Maximum)						
8	4	2	0	11. Continuity		
20	10	5	0	12. Familiarity		
C. CONTEXT TOTAL (20 Maximum)						
PRELIMINARY TOTAL (Sum of A, B, and C: 100 Maximum)						
--	-3%	-5%	-10%	13. Condition (From A, B, and C total)		
--	-20%	-40%	-80%	14. Exterior Alterations *		
--	-10%	-20%	-40%	(a) From A and C total (excl. 2)		
				(b) From B total		
--	-20%	-40%	-80%	15. Interior Alterations *		
--	-20%	-40%	-80%	(a) Space 1		
--	-20%	-40%	-80%	(b) Space 2		
--	-20%	-40%	-80%	(c) Other Spaces		
--	-40%	-60%	-80%	16. Structural Removals *		
--	-25%	-38%	-50%	(a) From A and C total		
--	-25%	-38%	-50%	(b) From B total		
				17. Site * (from B total)		
D. INTEGRITY DEDUCTIONS						
ADJUSTED TOTAL (Preliminary Total minus Integrity Deductions)						
(3)	(3)	(2)	(2)	18. Reversability of Item 14 (Exterior)		
(3)	(3)	(2)	(2)	19. Reversability of Item 15 (Interior)		
(3)	(3)	(2)	(2)	(a) Space 1		
(3)	(3)	(2)	(2)	(b) Space 2		
(3)	(3)	(2)	(2)	(c) Other Spaces		

RATING (FROM COLUMN I TOTALS):

Present Status (Adjusted Total): ☐ A (41+) ☐ B (28-40) ☐ C (18-27) ☐ D (11-17) ☐ E (0-10)

Contingency Status (Preliminary Total plus higher ratings for certain items):

☐ A (41+) ☐ B (28-40) ☐ C (18-27) ☐ D (11-17) ☐ E (0-10) ☐ Not applicableContingency Factors: ☐ (1) More significant information is learned about the property's history, design, or development (specify evaluation criteria and contingency score for each criterion: _____).☐ (2) Existing (exterior) (interior) alterations are reversed; feasibility doubtful or unknown (line 18 or 19 rated "F" or "P") ☐ (3) Existing (exterior) (interior) alterations are reversed; feasibility appears good (line 18 or 19 rated "E" or "G").

ELIGIBILITY (FROM COLUMN II TOTALS):

National Register (individual): ☐ Listed (check Federal Register) ☐ Determined Eligible (check Federal Register) ☐ Appears eligible (Adjusted Total 28+ except *) ☐ Potential if restored (Preliminary total 28+ and line 14 is "F" or "P" except *) ☐ Potential when over 50 years old (Preliminary Total 28+ and property is less than 50 years old except *) ☐ None of the aboveNational Register (as part of Group or District only): ☐ Listed (check Federal Register) ☐ Determined eligible (check Federal Register) ☐ Appears eligible (line 11 is "E" or "VG" except *) ☐ Appears eligible if restored (line 11 if "E" or "VG" and line 14 is "P" except *) ☐ Appears eligible when more than 50 years old (line 11 is "E" or "VG" and property is less than 50 years old except *) ☐ None of the aboveCity Landmark: ☐ Listed (per LM list dated ____/____/____) ☐ In S-7 Zone ☐ On Study List (per SL list dated ____/____/____) ☐ None of the above.

*The National Register generally excludes properties that are less than 50 years old (#10), have been severely altered, (#14, 15, & 16), or have been moved (#17) unless a moved property is significant primarily for architectural value or as the most important surviving structure associated with a person or event.

This form has been adapted from the San Francisco Downtown Inventory, prepared for the Foundation for San Francisco's Architectural Heritage by Charles Hall Page and Associates, and Harold Kalman's The Evaluation of Historic Buildings.

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APPENDIX D: LANDMARKS PRESERVATION ADVISORY BOARD GUIDELINES FOR DETERMINATION OF LANDMARK ELIGIBILITY

(Appendix 3 of Landmarks Preservation Advisory Board's Rules of Procedure)

APPENDIX 3: GUIDELINES FOR DETERMINATION OF
ELIGIBILITY FOR LANDMARK DESIGNATION

These guidelines are for the purpose of interpreting the landmark eligibility criteria at Section 2002(p) of the Zoning Regulations. The guidelines are expressed as the attached Evaluation Criteria and Ratings for Landmark Eligibility and the accompanying Evaluation Sheet and Evaluation Tally Sheet.

In order to determine whether a property is eligible as a landmark, the property is rated on the Evaluation Sheet for each of the fourteen evaluation criteria shown on the Sheet and defined in the Evaluation Criteria and Ratings.

The Evaluation Sheet ratings are next converted to numerical scores on the Evaluation Tally Sheet and added together for a total score. The total scores are then converted into an overall rating -- A, B, C, or D.

Properties receiving A or B ratings are considered eligible as landmarks.

F-095 3APNDIX3.CB

LPAB FORM 3.1

City of Oakland -- Landmarks Preservation Advisory Board
EVALUATION SHEET FOR LANDMARK ELIGIBILITY

Address _____

Name _____

A. ARCHITECTURE

- | | | | | |
|--------------------------|---|----|---|----|
| 1. Exterior/Design_____ | E | VG | G | FP |
| 2. Interior_____ | E | VG | G | FP |
| 3. Construction_____ | E | VG | G | FP |
| 4. Designer/Builder_____ | E | VG | G | FP |
| 5. Style/Type_____ | E | VG | G | FP |

B. HISTORY

- | | | | | |
|-----------------------------|---|----|---|----|
| 6. Person/Organization_____ | E | VG | G | FP |
| 7. Event_____ | E | VG | G | FP |
| 8. Patterns_____ | E | VG | G | FP |
| 9. Age_____ | E | VG | G | FP |
| 10. Site_____ | E | VG | G | FP |

C. CONTEXT

- | | | | | |
|----------------------|---|----|---|----|
| 11. Continuity_____ | E | VG | G | FP |
| 12. Familiarity_____ | E | VG | G | FP |

D. INTEGRITY

- | | | | | |
|-------------------------------|---|----|---|----|
| 13. Condition_____ | E | VG | G | FP |
| 14. Exterior Alterations_____ | E | VG | G | FP |

Evaluated by _____ Date _____

STATUS

Rating: _____

City Landmark Eligibility: ☐ Eligible ☐ Not eligible

National Register Status: ☐ Listed ☐ In process

☐ Determined eligible ☐ Appears eligible

☐ Appears ineligible

Site of Opportunity ☐

This evaluation sheet was accepted by the Landmarks Preservation Advisory Board at its
meeting of _____
(Date)

Attest: _____
(Secretary)

LPAB FORM 3.2

City of Oakland -- Landmarks Preservation Advisory Board
EVALUATION TALLY SHEET FOR LANDMARK ELIGIBILITY

Address _____

Name _____

12	6	3	0	1. Exterior/Design	
6	3	2	0	2. Interior	
6	3	2	0	3. Construction	
4	2	1	0	4. Designer/Builder	
6	3	2	0	5. Style/Type	
				A. ARCHITECTURE TOTAL	(max. 26)
30	15	8	0	6. Person/Organization	
30	15	8	0	7. Event	
18	9	5	0	8. Patterns	
8	4	2	0	9. Age	
4	2	1	0	10. Site	
				B. HISTORY TOTAL	(max. 60)
4	2	1	0	11. Continuity	
14	7	4	0	12. Familiarity	
				C. CONTEXT TOTAL	(max. 14)
				PRELIMINARY TOTAL (Sum of A, B and C)	(max. 100)
-0	-3%	-5%	-10%	13. Condition (From A,B and C total)	
-0	-25%	-50%	-75%	14. Exterior Alterations (From A,B and C total excluding 2)	
				D. INTEGRITY	
				ADJUSTED TOTAL (Preliminary total minus Integrity)	

STATUS/RATING

Present Rating (Adjusted Total): ☐ A(35+) ☐ B(23-34) ☐ C(11-22) ☐ D(0-10)Contingency Rating (Preliminary Total): ☐ A(35+) ☐ B(23-34) ☐ C(11-22) ☐ D(0-10)City Landmark Eligibility: ☐ Eligible (Present Rating is A or B)☐ Not eligible

F-116 3EVALTAL.CB

CITY OF OAKLAND—LANDMARKS PRESERVATION ADVISORY BOARD
EVALUATION CRITERIA AND RATINGS
FOR LANDMARK ELIGIBILITY

GENERAL NOTE: IF A PROPERTY HAS EXPERIENCED KNOWN LOSSES OF INTEGRITY (CRITERIA GROUP D), CRITERIA GROUPS A, B AND C SHOULD NORMALLY BE APPLIED TO THE PROPERTY AS IT EXISTED BEFORE THOSE LOSSES WERE SUSTAINED. CRITERIA GROUP D SHOULD THEN BE APPLIED TO THE PROPERTY.

CRITERION	RATINGS	COMMENTS AND GUIDELINES
A. ARCHITECTURE		
1. EXTERIOR/DESIGN QUALITY OF FORM, COMPOSITION, DETAILING, AND ORNAMENT MEASURED IN PART ON ORIGINALITY, ARTISTIC MERIT, CRAFTSMANSHIP, SENSITIVITY TO SURROUNDINGS AND OVERALL VISUAL QUALITY.	E EXCELLENT VG VERY GOOD G GOOD FP UNDISTINGUISHED	APPLIES TO NATURAL FEATURES AS WELL AS TO MAN-MADE FEATURES. A "G" RATING IS APPROPRIATE FOR PROPERTIES WHICH HAVE ANY CLEARLY IDENTIFIABLE VISUAL OR DESIGN VALUE. AN "E" RATING IS APPROPRIATE FOR PROPERTIES WHICH BASED ON EXTERIOR VISUAL QUALITY ALONE APPEAR ELIGIBLE FOR OAKLAND LANDMARK DESIGNATIONS.
2. INTERIOR DESIGN QUALITY OF INTERIOR ARRANGEMENT, FINISH, CRAFTSMANSHIP AND/OR DETAIL OR ASSOCIATION WITH A PERSON, GROUP, ORGANIZATION OR INSTITUTION USING THE	E EXCELLENT VG VERY GOOD G GOOD FP UNDISTINGUISHED	IN MOST USES, THIS CRITERION WILL BE APPLIED ONLY TO INTERIORS WHICH ARE ACCESSIBLE TO THE PUBLIC. UNLIKE THE CASE OF EXTERIORS, THIS CRITERION SHOULD BE APPLIED TO INTERIORS AS THEY PRESENTLY EXIST, REGARDLESS OF ALTERATIONS.
3. CONSTRUCTION SIGNIFICANCE AS EXAMPLE OF A PARTICULAR STRUCTURAL MATERIAL, SURFACE MATERIAL OR METHOD OF CONSTRUCTION.	E ESPECIALLY FINE OR VERY EARLY EXAMPLE IF FEW SURVIVE VG ESPECIALLY FINE OR VERY EARLY EXAMPLE IF MANY SURVIVE; GOOD EXAMPLE IF FEW SURVIVE, G GOOD EXAMPLE IF MANY SURVIVE OF ANY MATERIAL OR METHOD NOT GENERALLY IN CURRENT USE (SUCH AS BRICK MASONRY OR BALLOOM FRAMING) OR OF A HIGHLY DURABLE METHOD OF CONSTRUCTION DURABLE METHOD OF CONSTRUCTION (STEEL FRAME, REINFORCED CONCRETE, ETC.) FP OF NO PARTICULAR INTEREST.	EXAMPLES OF "ESPECIALLY FINE" CONSTRUCTION METHODS OR STRUCTURAL MATERIALS INCLUDE THOSE WHICH SUCCESSFULLY ADDRESS CHALLENGING STRUCTURAL PROBLEMS, OR WHICH ARE TREATED AS VISIBLE DESIGN ELEMENTS THAT CONTRIBUTE SIGNIFICANTLY TO THE FEATURE'S OVERALL DESIGN QUALITY, OR WHICH EXHIBIT FINE CRAFTSMANSHIP. SURFACE MATERIALS SHOULD BE TREATED UNDER THIS CRITERION ONLY ACCORDING TO THEIR TYPE AND ACCORDING TO THE LEVEL OF CRAFTSMANSHIP WHICH THEY REPRESENT. THE CONTRIBUTION OF SURFACE MATERIALS TO A FEATURE'S DESIGN QUALITY SHOULD BE TREATED IN CRITERION 1. (EXTERIOR/DESIGN) EXAMPLES OF "ESPECIALLY FINE" SURFACE MATERIALS INCLUDE STONE (GRANITE, MARBLE) AND POLYCHROME TERRA COTTA.

CRITERION	RATINGS	COMMENTS AND GUIDELINES
4. DESIGNER/BUILDER DESIGNED OR BUILT BY AN ARCHITECT, ENGINEER, BUILDER, ARTIST, OR OTHER DESIGNER WHO HAS MADE A SIGNIFICANT CONTRIBUTION TO THE COMMUNITY, STATE, OR NATION.	E DESIGNER OF PRIMARY IMPORTANCE. VG DESIGNER OF SECONDARY IMPORTANCE. G DESIGNER OF TERTIARY IMPORTANCE. FP DESIGNER UNKNOWN OR OF NO PARTICULAR INTEREST.	NORMALLY, AN ESPECIALLY ACTIVE DESIGNER WILL BE RATED AT LEAST "G".
5. STYLE/TYPE SIGNIFICANCE AS AN EXAMPLE OF A PARTICULAR TYPE, STYLE OR CONVENTION.	E ESPECIALLY FINE OR VERY EARLY EXAMPLE IF FEW SURVIVE. VG ESPECIALLY FINE OR VERY EARLY EXAMPLE IF MANY SURVIVE; GOOD EXAMPLE IF FEW SURVIVE. G GOOD EXAMPLE OF ANY TYPE, STYLE OR RENT USE. FP OF NO PARTICULAR INTEREST.	A "GOOD EXAMPLE" SHOULD GENERALLY EXHIBIT MOST OF THE ARCHYTYPICAL CHARACTERISTICS OF THE TYPE, STYLE OR CONVENTION THE EXAMPLE IS INTENDED TO REPRESENT.
B. HISTORY/ASSOCIATION		
6. PERSON/ORGANIZATION ASSOCIATED WITH THE LIFE OR ACTIVITIES OF A PERSON, GROUP, ORGANIZATION, OR INSTITUTION THAT HAS MADE A SIGNIFICANT CONTRIBUTION TO THE COMMUNITY, STATE OR NATION.	E PERSON/ORGANIZATION OF PRIMARY IMPORTANCE INTIMATELY CONNECTED WITH THE PROPERTY. VG PERSON/ORGANIZATION OF PRIMARY IMPORTANCE LOOSELY CONNECTED, OR PERSON/ORGANIZATION OF SECONDARY IMPORTANCE INTIMATELY CONNECTED. G PERSON/ORGANIZATION OF SECONDARY IMPORTANCE LOOSELY CONNECTED, OR PERSON/ORGANIZATION OF TERTIARY IMPORTANCE INTIMATELY CONNECTED. FP PERSON/ORGANIZATION OF TERTIARY IMPORTANCE LOOSELY CONNECTED OR NO CONNECTION WITH PERSON/ORGANIZATION OF IMPORTANCE.	THE SIGNIFICANCE OF THE PERSON, GROUP, ORGANIZATION OR INSTITUTION MUST ITSELF BE ESTABLISHED BEFORE THIS CRITERION IS APPLIED. SUCH SIGNIFICANCE MAY BE AT EITHER THE LOCAL, STATE OR NATIONAL/INTERNATIONAL LEVELS. "INTIMATELY CONNECTED" WILL OFTEN MEAN THAT THE FEATURE WAS INTIMATELY ASSOCIATED WITH AN IMPORTANT PERIOD IN THE LIFE OR ACTIVITIES OF THE PERSON, GROUP, ORGANIZATION OR INSTITUTION. A PERSON/ORGANIZATION OF PRIMARY IMPORTANCE AT THE LOCAL LEVEL WILL HAVE PLAYED A DECISIVE AND FAR REACHING ROLE IN THE DEVELOPMENT OF OAKLAND AS A COMMUNITY (EXAMPLES: MAYOR FRANK MOTT, CENTRAL PACIFIC RAILROAD.) A PERSON/ORGANIZATION OF SECONDARY IMPORTANCE AT THE LOCAL LEVEL WILL HAVE PLAYED A MAJOR OR LEADING (BUT NOT DECISIVE) ROLE IN THE DEVELOPMENT OF OAKLAND AS A COMMUNITY OR A DECISIVE ROLE IN THE DEVELOPMENT OF A PARTICULAR NEIGHBORHOOD OR OF A PARTICULAR ETHNIC GROUP OR SEGMENT OF THE COMMUNITY (EXAMPLES: H.C. CAPWELL, JAMES LARUE, LEW HING, REALTY SYNDICATE). A PERSON/ORGANIZATION OF TERTIARY IMPORTANCE AT THE LOCAL LEVEL WILL HAVE PLAYED A PROMINENT ROLE (BUT NOT A REAL LEADERSHIP ROLE) IN THE DEVELOPMENT OF A PARTICULAR NEIGHBORHOOD OR OF A PARTICULAR ETHNIC GROUP OR SEGMENT OF THE COMMUNITY (EXAMPLES: JOHN NICHOLL CHARLES HESSEMAN). THE STATE AND NATIONAL/INTERNATIONAL LEVELS ARE TREATED SIMILARLY. IF THE PROPERTY HAS BEEN SIGNIFICANTLY ALTERED SINCE THE TIME OF ITS ASSOCIATION WITH THE PERSON/ORGANIZATION AND IF SUCH ALTERATION IS NOT REFLECTED IN CRITERIA GROUP D, THEN THE PERSON/ORGANIZATION WILL BE CONSIDERED TO BE ONLY "LOOSELY CONNECTED" WITH THE PROPERTY.

CRITERION	RATINGS	COMMENTS AND GUIDELINES
7. EVENT ASSOCIATED WITH AN EVENT THAT HAS MADE A SIGNIFICANT CONTRIBUTION TO THE COMMUNITY, STATE OR NATION.	E EVENT OF PRIMARY IMPORTANCE INTIMATELY CONNECTED WITH THE PROPERTY, VG EVENT OF PRIMARY IMPORTANCE LOOSELY CONNECTED, OR EVENT OF SECONDARY IMPORTANCE INTIMATELY CONNECTED, G EVENT OF SECONDARY IMPORTANCE LOOSELY CONNECTED, OR EVENT OF TERTIARY IMPORTANCE INTIMATELY CONNECTED, FP EVENT OF TERTIARY IMPORTANCE LOOSELY CONNECTED OR NO CONNECTIONS WITH EVENT OF IMPORTANCE.	SEE COMMENTS FOR CRITERION 6 (PERSON/ORGANIZATION).
8. PATTERNS ASSOCIATED WITH AND EFFECTIVELY ILLUSTRATIVE OF BROAD PATTERNS OF CULTURAL, SOCIAL, POLITICAL, ECONOMIC, OR INDUSTRIAL HISTORY, OR OF THE DEVELOPMENT OF THE CITY, OR OF DISTINCT GEOGRAPHIC REGIONS OR ETHNIC GROUPS, OR OF A PARTICULAR WELL-DEFINED ERA.	E PATTERNS OF PRIMARY IMPORTANCE INTIMATELY CONNECTED WITH THE PROPERTY, VG PATTERNS OF PRIMARY IMPORTANCE LOOSELY CONNECTED, OR PATTERNS OF SECONDARY IMPORTANCE INTIMATELY CONNECTED, G PATTERNS OF SECONDARY IMPORTANCE LOOSELY CONNECTED, OR PATTERNS OF TERTIARY IMPORTANCE INTIMATELY CONNECTED, FP PATTERNS OF TERTIARY IMPORTANCE LOOSELY CONNECTED OR NO CONNECTION WITH PATTERNS OF IMPORTANCE.	A HELPFUL MEASURE OF THIS CRITERION IS TO CONSIDER HOW USEFUL THE PROPERTY WOULD BE FOR THE TEACHING OF CULTURAL HISTORY. A PROPERTY IS NORMALLY "INTIMATELY CONNECTED" WITH A PATTERN IF THE PROPERTY EXHIBITS THE ESSENCE OF THE PATTERN. A PROPERTY IS NORMALLY "LOOSELY CONNECTED" WITH A PATTERN IF THE PROPERTY ONLY EXHIBITS THE INFLUENCE OF THE PATTERN. A PATTERN WILL NORMALLY BE CONSIDERED "INTIMATELY CONNECTED" WITH THE PROPERTY IF ONLY A FEW EXAMPLES ASSOCIATED WITH THE PATTERN SURVIVE. "INTIMATE" AND "LOOSE" CONNECTIONS FOR SIGNIFICANTLY ALTERED PROPERTIES ARE TREATED THE SAME WAY AS FOR CRITERION 6 (PERSON/ORGANIZATION). SEE ALSO OTHER COMMENTS FOR CRITERION 6 (PERSON/ORGANIZATION).
9. AGE COMPARATIVELY OLD IN RELATION TO DEVELOPMENT OF THE CITY.	E ESTABLISHED PRIOR TO 1869, VG ESTABLISHED BETWEEN 1869 AND APRIL 1906, G ESTABLISHED BETWEEN MAY 1906 AND 1945, FP ESTABLISHED SINCE 1945.	THE WESTERN TERMINUS OF THE TRANSCONTINENTAL RAILROAD WAS COMPLETED IN OAKLAND IN 1869, INAUGURATING AN IMPORTANT PERIOD OF RAPID URBAN DEVELOPMENT. THE 1906 EARTHQUAKE HELPED STIMULATE ANOTHER IMPORTANT PERIOD OF RAPID DEVELOPMENT IN OAKLAND. AT THE END OF WORLD WAR II, URBAN DEVELOPMENT BEGAN TO SHIFT FROM CENTRAL CITIES LIKE OAKLAND TO THE SUBURBS. IF THE PROPERTY HAS BEEN SIGNIFICANTLY ALTERED SINCE THE TIME OF ITS ORIGINAL CONSTRUCTION OR ESTABLISHMENT, USE THE ORIGINAL DATE IF THE NATURE OF THE ORIGINAL DESIGN IS STILL RECOGNIZABLE (E.G. ROOF SHAPE OR AT LEAST SOME ELEMENTS OF THE ORIGINAL FACADE COMPOSITION); USE THE DATE OF THE ALTERATION IF THE NATURE OF THE ORIGINAL DESIGN IS NOT RECOGNIZABLE.

CRITERION	RATINGS	COMMENTS AND GUIDELINES
10. SITE RELATION OF FEATURE TO ITS ORIGINAL SITE AND NEIGHBORHOOD.	E HAS NOT BEEN MOVED. G HAS BEEN MOVED WITHIN THE BOUNDARIES OF ITS ORIGINAL SITE. F HAS BEEN RELOCATED TO A NEW SITE IN THE SAME NEIGHBORHOOD AS THE ORIGINAL SITE. P HAS BEEN RELOCATED TO A NEW SITE IN A DIFFERENT NEIGHBORHOOD.	• "ORIGINAL SITE" MEANS THE SITE OCCUPIED BY THE FEATURE AT THE TIME THE FEATURE ACHIEVED SIGNIFICANCE, WHICH IN SOME CASES MAY HAVE BEEN AFTER THE FEATURE WAS CONSTRUCTED OR ESTABLISHED.
C. CONTEXT		
11. CONTINUITY CONTRIBUTES TO THE VISUAL, HISTORIC OR OTHER ENVIRONMENTAL CONTINUITY OR CHARACTER OF THE STREET OR AREA.	E HELPS ESTABLISH THE CHARACTER OF AN AREA OF PRIMARY IMPORTANCE OR CONSTITUTES A DISTRICT. VG MAINTAINS THE CHARACTER OF AN AREA OF PRIMARY IMPORTANCE OR HELPS ESTABLISH THE CHARACTER OF AN AREA OF SECONDARY IMPORTANCE OR CONSTITUTES A FEATURE GROUP. G COMPATIBLE WITH THE CHARACTER OF AN AREA PRIMARY IMPORTANCE OR MAINTAINS THE CHARACTER OF AN AREA OF SECONDARY IMPORTANCE. FP INCOMPATIBLE WITH AN AREA OF PRIMARY IMPORTANCE OR NOT LOCATED IN AN AREA OF PRIMARY OR SECONDARY IMPORTANCE.	"AREA OF PRIMARY OR SECONDARY IMPORTANCE" GENERALLY MEANS A DISTRICT, GROUP OF PROPERTIES, OR OTHER AREA NOTABLE ENOUGH TO WARRANT SPECIAL RECOGNITION, SUCH AS INCLUSION IN THE CITY'S S-7 PRESERVATION COMBINING ZONE. AREAS OF PRIMARY IMPORTANCE ARE LIMITED TO POTENTIAL NATIONAL REGISTER DISTRICTS. IF THE FEATURE HAS BEEN REMOVED (I.E., GIVEN A "P" RATING UNDER CRITERION 14), AND THE PROPERTY HAS THEREFORE BECOME ONLY A "SITE", CONTINUITY SHOULD BE EVALUATED BY IMAGINING THE FEATURE RESTORED TO ITS SITE, BUT IN THE EXISTING SURROUNDINGS.
12. FAMILIARITY PROMINENCE OR FAMILIARITY WITHIN THE NEIGHBORHOOD, CITY OR REGION.	E A FEATURE WHICH MAY BE TAKEN AS SYMBOL FOR THE CITY OR REGION AS A WHOLE. VG A CONSPICUOUS AND FAMILIAR FEATURE IN THE CONTEXT OF THE CITY OR REGION. G A CONSPICUOUS AND FAMILIAR FEATURE IN THE CONTEXT OF THE NEIGHBORHOOD. FP NOT PARTICULARLY CONSPICUOUS OR FAMILIAR.	A HELPFUL MEASURE OF THIS CRITERION IS TO CONSIDER WHETHER A TYPICAL RESIDENT OF THE NEIGHBORHOOD, CITY OR REGION WOULD NOTICE THE FEATURE AND REMEMBER IT. IF THE FEATURE HAS BEEN REMOVED, THIS CRITERION SHOULD BE EVALUATED BY CONSIDERING THE FEATURE'S ROLE (IF ANY) AS A "LANDMARK" PRIOR TO ITS REMOVAL.
D. INTEGRITY		
13. CONDITION EXTENT TO WHICH THE FEATURE HAS EXPERIENCED DETERIORATION.	E NO APPARENT SURFACE WEAR OR STRUCTURAL PROBLEMS. G EXHIBITS ONLY MINOR SURFACE WEAR. F EXHIBITS CONSIDERABLE SURFACE WEAR OR SIGNIFICANT STRUCTURAL PROBLEMS. P EXHIBITS CONSIDERABLE SURFACE WEAR AND SIGNIFICANT STRUCTURAL PROBLEMS.	"MINOR SURFACE WEAR" GENERALLY MEANS THAT NO REPLACEMENT OF DESIGN ELEMENTS DUE TO DETERIORATION IS REQUIRED. "CONSIDERABLE SURFACE WEAR" GENERALLY MEANS THAT SOME DESIGN ELEMENTS HAVE DETERIORATED TO SUCH AN EXTENT THAT THEY MUST BE REPLACED. "SIGNIFICANT STRUCTURAL PROBLEMS" WILL GENERALLY BE ASSOCIATED WITH SAGGING FLOOR LINES, OUT-OF-PLUMB WALLS AND FIRE DAMAGE.

CRITERION	RATINGS	COMMENTS AND GUIDELINES
14. EXTERIOR ALTERATIONS DEGREE OF ALTERATION TO IMPORTANT EXTERIOR MATERIALS AND DESIGN FEATURES.	E NO CHANGES OR VERY MINOR ALTERATIONS WHICH DO NOT CHANGE THE OVERALL CHARACTER. G MINOR CHANGES TO OVERALL CHARACTER. F MAJOR CHANGES TO OVERALL CHARACTER. P FEATURE HAS BEEN REMOVED OR DEMOLISHED.	

F- 1EVALUATE.CB
AUGUST 6, 1987

APPENDIX E: SUMMARY OF PROCEDURE FOR INITIATION OF LANDMARK OR S-7 ZONE DESIGNATION

Landmarks Preservation Advisory Board
Oakland, California

SUMMARY OF PROCEDURE FOR LANDMARKS BOARD
INITIATION OF LANDMARK OR S-7 ZONE
DESIGNATION

September, 1993

NOTE: For complete description of procedure, see Article 4 of the Landmarks Board's Rules of Procedure.

A. IF APPLICANT IS OTHER THAN THE OWNER:

- Step 1. Applicant submits completed "Notice of Intent to Submit an Oakland Landmark and S-7 Preservation Combining Zone Application Form" (Form LPAB-1) to Landmarks Board Secretary. If applicant is Landmarks Board, Notice of Intent is prepared by Secretary or individual Boardmember.
- Step 2. Secretary forwards Notice of Intent to Board for consideration along with preliminary recommendation as to whether the proposal meets the Zoning Regulations' landmark or S-7 designation criteria. For landmark designation proposals, the recommendation is based on and accompanied by a completed draft preliminary Evaluation Sheet (Form LPAB-2) prepared by the Secretary.
- Step 3. Board reviews Notice of Intent, Secretary's recommendation and, if applicable, draft Evaluation Sheet and preliminarily determines whether the property meets (either) the landmark or S-7 designation criteria.
- Step 4. If the property meets the criteria, written comments from the property owner(s) are requested.
- Step 5. Board considers owner's comments and determines whether to proceed with designation.
- Step 6. If Board proceeds with designation, applicant submits completed "Landmark and S-7 Preservation Combining Zone Application Form" (Form LPAB-4) to Secretary. If applicant is Landmarks Board. Application Form is prepared by Secretary or by individual Boardmember.

**Summary of Procedure for Landmarks Board
Initiation of Landmark or S-7 Zone Designation
September, 1993**

- Step 7. Secretary forwards Application Form to Board for consideration along with final recommendation as to whether the proposal meets the landmark or S-7 designation criteria. For landmark designation proposals, the recommendation is based on and accompanied by a completed draft final Evaluation Sheet prepared by the Secretary.
- Step 8. Board makes final determination of landmark or S-7 eligibility. If property is determined eligible, Board considers resolution formally initiating landmark or S-7 designation. If resolution is adopted, proposal is sent to City Planning Commission for public hearing and recommendation to the City Council.

The above process normally requires three Landmarks Board meetings, corresponding with Steps 3, 5 and 8.

- B. IF APPLICANT IS THE OWNER: Process begins with owner's submittal of Application Form to Secretary for forwarding to Board as per Step 7, above. Steps 1-6 are omitted.

AOP 8.02

F-LM265 1S7DESIG.CB

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Natalie Bayton, District 3
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